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FIRST THINGS

April 1994
Number 42

A Monthly Journal of Religion and Public Life

The Sanctity of Life Seduced

A Symposium on Medical Ethics

Daniel Callahan Gilbert Meilaender Christine Whitbeck
William Smith M. Therese Lysaught William May Eric Cassell

It's the Culture, Stupid!
1992 and Our Political Future

Lyman Kellstedt, John C. Green, James L. Guth & Corwin Smidt

Abortion Facts and Feelings

Hadley Arkes

God and Man at Yale (1880)

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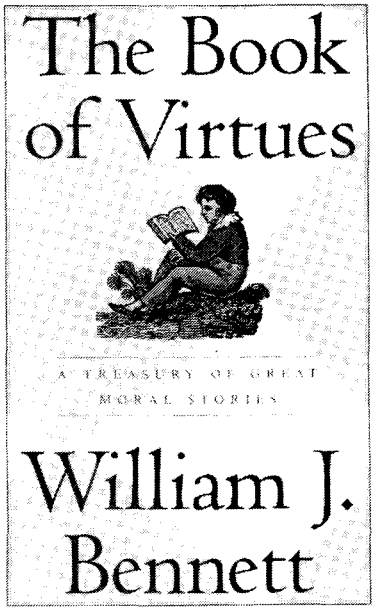

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FIRST THINGS

A Monthly Journal of Religion and Public Life

APRIL 1994 • NUMBER 42

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The Religion of Journalists

Stanley Rothman has written a thoughtful critique ("Religion's Bad Press," January) of the report "Bridging the Gap: Religion and the News Media," coauthored by myself and the Rev. Jimmy L. Allen. Since I had major responsibility for its research and writing. I would like to address some of Mr. Rothman's points.

Our nine-month study at Vanderbilt's Freedom Forum First Amendment Center and the resulting report was based not only on a mail survey of journalists and clergy in six denominations but also on interviews with religious figures (many outside the surveyed denominations), educators, and journalists, plus a review of pertinent literature.

Mr. Rothman understandably focuses on our minimal survey findings on the religiosity of journalists since we pointed to them as a corrective to popular impressions gained from even more incidental findings by Rothman and S. Robert Lichter in 1980. Many religious people unhappy with religion news coverage point to their data showing 50 percent of journalists with no religion and 86 percent seldom or never going to religious services. Those figures came from a much larger profile of "the media elite," as the subsequent book was titled, in which the two scholars directed interviews at ten news outlets in New York and Washington.

We tried to say carefully in our report that others who cite the figures see them as typical of any U.S. newsroom. In the next breath, unfortunately, many critics of the news media see that as the primary reason for religion's generally inadequate coverage and the news media blunders on stories involving faith.

The problem between journalists and religionists is much more complex. Secularizing trends in America, the feeling that religion is a private matter, ignorance about religion by journalists leading to a bias of neglect, the news media's rising influence in culture—all contribute to tensions between these two beneficiaries of the First Amendment.

Saying newspeople are an irreligious lot and letting it go at that is simplistic—and not quite true. Our questionnaires found that 35 percent of U.S. newspaper editors said religion was "very important" in their lives and 37 percent said it was "somewhat important." Our survey was answered mostly by editors at small-to-middle size newspapers. A similar question in 1992 by Wilhoit and Weaver of Indiana University—posed nationally to all levels of print and broadcast journalists—found 35.7 percent calling religion very important and 34.3 percent saying it was somewhat important.

Mr. Rothman notes that our mail survey of editors received "only" a 48 percent response, but the survey director, Robert O. Wyatt of Middle Tennessee State University, termed it rather good. The First Amendment Center report was supposed to fall somewhere between being academic and journalistic in format, but Wyatt could provide the detailed findings and procedural data for anyone who desires them.

Mr. Rothman appears upset with the report's introduction by John Seigenthaler, chairman of the center, who felt that the 240 journalists interviewed in the 1980 New York/D.C. survey were an unrepresentative number. Actually, I did not note more precisely in "Bridging the Gap" that Lichter & Rothman picked 238 journalists at random for hour-long interviews and that "only" 74 percent of them completed the interviews.

But I felt that would be quibbling. Richard Ostling, longtime religion editor of *Time* magazine, told me that he was one of those interviewed and that he felt that data showing the predominance of liberal, religiously inactive journalists at the major news outlets sounded right to him from personal experience.

We also asked journalists to specify what religious category they identify with. Less than 10 percent of the editors picked "nonbeliever or humanist." Mr. Rothman indicates that the choice of "none" would have drawn a higher response, but I frankly doubt it. We also surveyed religion special-

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ists at newspapers, newsmagazines, and wire services; they rated religion "very important" (75 percent) and only 4 percent identified themselves as nonbeliever or humanist.

Mr. Rothman and Mr. Lichter both argue that a question on religious attendance would have provided a better yardstick. Maybe so. We didn't ask that because, contrary to Rothman, the study was not designed as a "full-scale study of journalists' religious beliefs and their relation to the coverage of religion." We focused mainly on the depth of the conflicts and reasons for religious unhappiness with the news media. We quoted a variety of news critics, including religious conservatives. We made recommendations for "bridging the gap."

As Mr. Rothman observes, Allen and I agree with him and Lichter on many causes for religion-media conflict. "It is not clear, then, why they criticize our work," Rothman writes. True, we gave voice to their critics, but also quoted their supporters. Allen and I found fault primarily with others' misuse of their survey's replies on questions about religion.

John Dart
Religion Writer
Los Angeles Times

Stanley Rothman replies:

I appreciate Mr. Dart's courteous reply to my essay. I believe that the *New York Times* reporting of his study is partly responsible for the confusion that followed. Nevertheless, I also believe that there are problems with both his study and the introduction by John Seigenthaler that he has not addressed. However, for the most part I prefer to leave it to the readers of First Things to judge for themselves after reading the report, my evaluation of it, and Mr. Dart's reply.

I'll only use this occasion to make a few rather elementary points about survey research methods. (1) We did not suggest that inquiring about church attendance would provide a better yardstick than the questions asked, only that it would provide additional information required for evaluating respondents' commitment to American religious institutions. Very good studies are now available which indicate that expressions of the importance of religion or particular religious beliefs are not necessarily the best indicators of such commitment. Knowledge of religious activity does add important information.

(2) Mr. Dart would indeed have been quibbling had he stressed that our response rate was "only" 74 percent of a random sample of 238. He would also have been wrong. We did not interview 74 percent of 238 potential respondents. Rather the number 238 represents the 74 percent of those contacted whom we did interview. Nor is it to the point whether one "feels" 238 is an "unrepresentative" number. In fact, there is no such thing as a "representative" number. The validity of statistical inference depends upon sample selection, data collection procedures, response rate, and size of the sample and universe. Our sample was appropriate for making inferences about the "media elite."

Any elementary survey research book will tell you that a response rate below 50, or even 55, percent, is very low and the results must be tested and used cautiously. To rely on authority in this matter is not satisfactory. On the other hand a response rate of 74 percent is very high, lending confidence that the sample results are not skewed by response bias.

John Dart's comments on this issue are not really to the point. In making them he reveals an ignorance of basic survey research techniques, which is one of the problems with his essay.

Religion in the Academy

I am a graduate student in History at Indiana University. Since First Things has given continuing attention to the place of religion in higher education, I thought you might appreciate hearing from a sympathetic reader—one who is female and Jewish—concerning the blatant discrimination against Christianity and "religious motives" in academe, and especially in History departments.

When I applied to IU in 1991, I stated in my letter of purpose that I was interested in scholasticism and Church history, Reformation history, and a myriad of related subjects (e.g., medieval psychology, the Aristotelian tradition, the rise of the universities, etc.), which I believed fell within the discipline of history. Now after three semesters I am being told by my department that I need to transfer into some other department such as Religious Studies or Philosophy if I want to study the history of the Church or scholasticism, as these topics no longer fall within the discipline of history. "No one does that sort of thing anymore," they say.

Looking at earlier catalogues, this was not the case several years ago, or even two years ago, when there were faculty in the History Department who could teach more general sorts of Medieval History courses, which included the history of the Church. Now all we get are courses on "medieval sexuality" and "medieval women's spirituality" taught from a feminist perspective in which the Church is the enemy. There has been no effort to balance the curriculum; semester after semester it is the same thing.

The catalogue I was sent in 1991 listed a wide selection of appealing courses and a faculty to teach those courses. Little did I know at that time that the catalogue contained every course that *had ever been* taught at IU, and that it had no bearing on what would actually be taught in the future. Moreover, that the faculty with whom I had hoped to study, who taught more traditional courses, had either already retired or were on the verge of doing so.

These sorts of things are not so unusual, I now know, from talking to graduate students at other universities. However, in my case, the consequences were particularly detrimental because, as I have indicated, the remaining faculty in my area actively discourage research in religious history and in what I call the "intellectual history" of the Western world. In addition, while the catalogue says that the History Department "encourages interdisciplinary approaches," the reality is that, unless you want to do something on "medieval

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women" or "medieval sexuality," the department will not accommodate your interdisciplinary interests.

Women's spirituality, lesbian nuns, eating disorders, "Jesus as mother," transvestisms, and a myriad of other more popular topics are deemed to be "on the cutting edge" by the professors here, who call this "intellectual history." But in these courses you never hear about the real intellectuals of the medieval period, since they happened to be theologians and male.

In the literature and in history textbooks, religious motivations and idealistic intentions of historical figures, if male, are always rejected and replaced with more mundane and cynical explanations linked to "power" and personal gain. Humanism, for example, in contemporary scholarship is treated solely as "a money-making proposition," or as "a pathway to professionalism by the ruling elite," and the ethical and religious component of the humanist movement (Petrarch, Erasmus, etc.) is completely missed. Students are not taught that the Classics were once valued by society as a way of instilling morality and goodness in its citizens—everything now has to be depicted as part of some sinister plot or conspiracy.

My department has recently decided that it isn't feasible to hire someone to teach Reformation history (replacing Gerald Strauss, who retired a few years ago). When I asked why an area as rich and as important as the Reformation would no longer be taught (or if taught on occasion, by someone whose expertise is eighteenth-century France), I was told by faculty members that the Reformation simply isn't *fashionable* any more.

Historians here teach courses on the "social construction of the body" and on the "history (i.e., social construction) of sexuality" because of the popularity of Michel Foucault. No one here questions Foucault's authority to do history; yet getting a course cross-listed with History from one of the less fashionable disciples is virtually impossible since they say that the professor of that course isn't qualified to teach history. . . .

However, women's studies and Jewish studies courses are routinely cross-listed. Medieval Philosophy, without doubt a significant part of the intellectual history of the Middle Ages, will not be accepted here towards the History M.A. because it doesn't fit into the political agenda of the department.

Since I am female and not a Christian, I do not run the risk of being labeled a sexist or a religious fanatic by demanding (not that it will do much good) that medieval history include Church history, or that Reformation history be taught, or for wanting religion to be at least considered as a possible motive in interpreting human action. And I have a 3.8 GPA so that no one can say that I have other motivations. . . .

Emily Nedell
Bloomington, IN

Solving the Crime Problem?

I would like to add my small opinion to the large ideas presented by Bill Bennett and Charles Colson on crime and punishment (January).

What I have discovered, working as a volunteer at a nearby prison, is that most inmate religious conversions are superficial at best. People are incarcerated because they are playing a big con game. The biggest con they play is within themselves: "I wasn't using crack—I was just selling it!"; "I'm not an alcoholic. Sure, I get drunk and high every day, and I spend $500 per day on my crack use, but I'm not addicted!"; and of course there is the classic, "I was framed!"

Prisoners are quick studies at the con, soaking up all the benefits of the social welfare state. They learn how to look good and act good. They lift weights, shoot hoops, learn a trade, get their GEDs, make dozens of meetings with therapists, AA volunteers, psychiatrists, chaplains, and social workers. They learn to mouth all of the right therapeutic and evangelical language, but in most cases none of this has any lasting effect. . . .

At the same time, locking up people who are basically out of control because of some primary pathology—usually drug and alcohol addiction (98 percent of the inmates in the correctional facility I work at were high when they were arrested)—and the pathological anger and resentment that comes from violent families who are also addicted—doesn't work. Fear of either incarceration or re-incarceration has little or no effect on someone who is incapable of thinking rationally, whose mind is warped by mind-altering substances, who has no control over his behavior—drunk or sober—because if he is not high he is thinking about getting high.

I propose a third way: public humiliation. The key difference that I have noted in the process of reform of a human psyche is whether or not, in the psychological language of the day, the person has suffered an "ego deflation in depth." I believe that, without a profoundly humbling experience—and for some this requires extremely humiliating circumstances—the chances of real change are negligible.

Incarceration alone does not produce humility. In fact, the whole system is designed to feed the egos of self-centered people. Convicts get more attention in jail than they ever got at home, and there is no wife, no girlfriend or parent to nag them, only caring professionals. Plus they can get high whenever they want, and if they are willing to lower their standards a bit, they can even get whatever sexual gratification they desire.

What is needed are community-based steps to publicly humiliate all offenders. They should be tied in stocks in the middle of the public square. They should not be escorted to the bathroom. They should be sheltered only in extremely inclement weather. The public should be encouraged to hurl verbal insults, as well as physical objects—such as rotten vegetables. A police guard should be present to prevent extremely violent assaults only.

I guarantee that a daily dose of such humiliation for up to thirty days, longer for violent criminals, will dramatically reduce the crime problem, and would be of therapeutic value to a citizenry that has for too

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long been deprived of the pleasure of witnessing true justice. . . .

(The Rev.) Owen Jones
Rose Hill Estate
Aiken, SC

On Peter Singer

As one of those who took the silencing and worse of Peter Singer in Germany to be an issue of academic freedom and free speech, and who also replied to Jenny Teichman in *The New Criterion*, may I comment on Richard John Neuhaus' "A Logic Extended" (Public Square, January)?

Fr. Neuhaus writes that the Germans "think they have heard Mr. Singer's doctrines before and they led to most unfortunate consequences." But he is all too silent on another unfortunate doctrine the Germans have heard before: that books and subjects may be banned and speakers hounded from the lecture hall when their views do not agree with reigning orthodoxy.

Barry R. Gross
National Program Officer
National Association of Scholars
Princeton, NJ

Fr. Neuhaus' very friendly remarks about my paper "The False Philosophy of Peter Singer" (*The New Criterion*, April 1993) are somewhat marred by two unsound inferences in his final paragraph. These non sequiturs amount to the accusation that my work is either naive or sloppy or both: I hope therefore that you will allow me to correct him.

In my paper I note that Singer appeals to a person-versus-human distinction in order to reject the concept of human rights. Fr. Neuhaus leaps recklessly to the conclusion that I "suggest" that Singer invented the distinction. *Au contraire:* I specifically state that Singer specifically states that he borrowed the distinction from Locke. Moreover, as every professional philosopher knows, or ought to know, the distinction was ancient even in Locke's day—it comes to us from Boethius. Fr. Neuhaus seems not to know this: he *appears* to attribute the distinction to *Roe v. Wade*!

The final sentence of his comment reads: "As fine as Ms. Teichman's article is, one is always a little surprised when very sensible people discuss these questions [i.e., euthanasia etc.] in a manner that ignores the reality and rationale of abortion." Although it is pleasant to be described as fine and dandy and sensible, it remains necessary to point out that Fr. Neuhaus has made another reckless leap in the dark. For, firstly, I take the connection between Singer's views and "the reality and rationale of abortion" to be utterly obvious. It might be necessary to draw attention to the utterly obvious if one is writing for a lowbrow newspaper, but *The New Criterion* is not what I'd call lowbrow. And, secondly, whatever some young reviewers may think, it simply isn't possible for an author to write about everything all at once. As it happens I've written about abortion on other occasions—see, e.g., the November 1993 issue of *The New Criterion*.

Still, I guess Fr. Neuhaus' overall intentions were kindly, so I will end by thanking him for those.

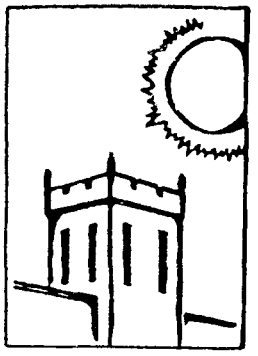
Jenny Teichman
New Hall
Cambridge University
England

Richard John Neuhaus replies:

It was not obvious to me, upon reading Ms. Teichman's April 1993 article, that the abortion connection was obvious to her. I am glad that it was and is. I did not mean to suggest that the person/human distinction originated with *Roe v. Wade*, only that that is its most salient use in our political culture. Finally, it has been a very long time since I've been called a young reviewer, and I thank her for that.

Kudos

My reaction to Kari Jenson Gold's "Getting Real" (January) was much like that of the old backwoodsman who said after hearing an erudite and masterfully articulated sermon by a



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famous preacher/theologian, "I doggies! I couldn'a sed it better m'self." In other words, Bravo!

Irene Prater Dell
Carl Junction, MO

Making Distinctions

In his review of Andrew Kimbrell's *The Human Body Shop: The Engineering and Marketing of Life* (December 1993), Dr. Bernard Nathanson seems to place organ transplants in the same moral category as sperm trafficking, surrogate motherhood, and the transplanting of tissue from aborted fetuses. If so, this is a serious lapse in judgment on the part of a defender of human life.

It should be noted that the same Paul VI whose *Humane Vitae*, in Dr. Nathanson's words, "gave us the wisdom to recognize how life was being trashed, and supplied us with the moral and ethical means to oppose it," *approved* organ transplantation. In fact, the careful reasoning of a previous pope, Pius XII, provided the ethical criteria now used to determine legal death before organ retrieval is allowed.

By indiscriminately lumping organ transplants with technologies that radically degrade human life, pro-lifers unwittingly ally themselves with some of the most anti-life forces around. Indeed, in his review Dr. Nathanson often sounds less like Paul VI and more like former Colorado Gov. Richard Lamm. ("Who will pay for this technology?")

General revulsion may be an understandable reaction to today's biotechnology, considering its many atrocities. But moral distinctions should never be abandoned, or blurred. The stakes are too high. Just ask that other committed defender of human life, Pennsylvania Gov. Robert Casey, whose own life was saved by a heart/liver transplant last June.

Beverly Bailey
Portland, OR

Bernard N. Nathanson replies:

I regret that Ms. Bailey has misinterpreted the gravamen of my review of Andrew Kimbrell's book. Perhaps I have only myself to blame in that I was not clear enough in my comments regarding organ transplants, and for that lapse I apologize.

As a physician who has practiced bedside medicine for thirty-five years I am still in awe of the truly miraculous nature of organ transplants to aid those who are dying as a result of diseased or disordered vital organs. The technology of adult organ transplantation surely stands as one of the momentous advances in medical science in the last century.

But, like Mr. Kimbrell, I am concerned with the troubling ethical issues that dog this marvelous technology. For example, who decides who is to receive the organ in question? We now have a waiting list of perhaps 25,000 patients who need kidneys and an available supply of 6,000 or so kidneys. Should American citizens automatically be placed at the top of the list of recipients, ahead of legal and illegal immigrants? Should there be an age limit for potential recipients, i.e., should a thirty-year old be placed ahead of a fifty-five-year old? Is someone who has already rejected one kidney to be placed at the bottom of the list, no matter how ill?

I am also concerned with the matter of commerce in organs. In Europe this is already a flourishing industry: is it ethical or just to permit the family of a patient to bid for a needed organ? Arthur Caplan's essay "If I were a Rich Man, Could I Buy a Pancreas?" maps accurately the ethical land mines in this regard.

When I wrote that "the only satisfactory resolution is to ban the entire technology and to look to infinitely less expensive . . . solutions to these especially heart-breaking diseases and disorders" I was of course referring specifically to the transplantation of *fetal* tissue from aborted fetuses into ill adults. The ethical objections to *that* technology are too obvious to adumbrate here, but it is significant that since my review appeared we have leaped an enormously significant hurdle: up to a short time ago, fetal tissue transplant (objectionable as it is) was being promoted as a cure for disease. Now, thanks to the work of Dr. Gosden and his coworkers in Edinburgh (the transplantation of fetal ovaries into adult post-menopausal females to restore child-bearing potential until the age of—what?—one hundred?) fetal tissue is now regarded as a source for replacing worn-out parts and not merely for the treatment of disease.

What next? Fetal scalp transplant for the balding? Fetal gum transplant for the edentulous? Fetal testicular transplant for the aging male whose libido is flagging? Gosden et al. have breached irreversibly the ethical sound barrier, and there is no turning back. The logical end point of this bizarre twist on transplantation technology is that each time a part, tissue, or organ wears out we can replace it with a fetal part, thus to achieve a life span (if you have the means) of five hundred years or more . . . why not somatic immortality, indeed?

Chilling, no? Well, it's here; now, what is to be done?

A Freudian Slip

A typographical error crept into my review of *Love and Friendship* by Allan Bloom (January). A quotation from Bloom is transcribed as: "reading Freud is the most neurotic experience one could imagine." The word *neurotic* is a misprint. The original reads: "reading Freud is the most *unerotic* experience one could imagine."

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Opinion

Groping With the Invisible Hand

George A. Tobin

While many people have expressed reservations about the direction of the Clinton economic program, the good economic news is that retail condom sales broke the $300 million dollar mark for 1993. Moreover, this robust figure does not include purchases for nonprofit distribution by entities such as public schools or the U.S. Navy. And, even had there been no NAFTA, the prospects for an export boom appear to be outstanding.

Ironically, this glowing success at the macroeconomic level masks a marked microeconomic failure in condom consumer education. Despite the best efforts of our schools and government, condom use among American teenagers is still reported to be distressingly low. Numerous surveys indicate that the vast majority of adolescent liaisons are taking place without the benefit of assistance from one of America's fastest growing industries.

Because our future economic health will depend on the consumer choices made by the younger generation in this key industry sector, it is likely that our sex education programs will come under heightened scrutiny from government economic policy analysts in the near future. Naturally, all of us want to help in any way possible, and to that end I propose revising and enhancing the behavioral model that is at the core of modern sex education.

Any attempt at reform must begin with the realization that modern condom education is, in essence, an economic argument: the pleasures of sex have more net utility if the risks of adverse consequences are reduced. Therefore, if consumers are educated so as to be able to recognize and reduce risks, sex can be obtained at lower net cost with net benefits to society as a whole. In effect, we are training our teens to make the following calculation, such that sex is deemed appropriate when the following equation is satisfied:

$$S > P_1 X L_1 + \ldots P_n X L_n \qquad \text{(Eq. 1-1)}$$

where S is the perceived value or pleasure of a contemplated sex act, P is the probability of occurrence of a particular adverse event, and L is the net economic loss accruing from the occurrence of any one of a series of enumerated possible adverse events (Sexually Transmitted Diseases [STDs], pregnancy, emotional distress, etc.). In theory, L is constant. Therefore, whenever P can be made to approach zero for each corresponding L, then the sex act under contemplation is the desired course of action.

In actual practice, this simplistic approach does not work for three reasons. First, the cumulative values of *PL* risk perceptions appear to have dropped substantially over the years. Informal survey data of *PL* dispositions of teenage boys collected by the author both in his former capacity as a high school teacher and as a systematic observer of both human and teen behavior indicate that the composition and composite value of *PL* values have indeed dropped since the selected 1968 base year. This trend contradicts popular perceptions and rhetoric concerning increased dangers related to "unprotected" sex.

The following table compares the author's quantification of male *PL* values for his own teen peer group and that of a modern cohort (units are based on a uniform scale of one to ten in which 10 is the largest value):

Comparative Mean *PL* Values, Teenage Boys 1968 versus 1994 High School Graduation Cohorts

	Class of 1968			Class of 1994		
	Risk (P)	Loss (L)	P x L	Risk (P)	Loss (L)	P x L
AIDS	NA	NA	NA	0	10	0
Syphilis	2	8	16	1	3	3
Gonorrhea	3	7	21	3	2	6
Herpes	NA	NA	NA	3	4	12
Pregnancy	6	9	54	2	5	10
Loss of Peer Respect	3	3	9	NA	NA	NA
Parental Disclosure	6	7	42	3	3	9
Violence by Girl's Father or Older Brother(s)	4	8	32	NA	NA	NA
Eternal Damnation	5	10	50	NA	NA	NA
Total PL			224			40

The comparative data suggest that an exclusively risk-oriented, microeconomic (*S>PL*) approach to sex education would likely have been more effective among teenage boys in 1968 than in 1994, given that the cumulative perceived *PL* values in that era were much higher. Arguably, the more prevalent religio-moral approach to sex education deployed in that era

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could also be described as a behavioral calculus in which the respective *PL* values just happened to be substantially higher.

Even the emergence of AIDS has not substantially altered the *PL* values for the modern cohort. AIDS is accurately perceived by exclusively heterosexual, non-drug-using teens as being of minimal risk. There is also a perception that effective antibiotic treatments exist for most other STDs. Pregnancy, once greatly feared by males, is now perceived as an exclusively female disorder for which abortion is a socially sanctioned remedy.

The second major reason why the *S>PL* approach fails is that it fails to take into account the perceived inconvenience cost or disutility of using condoms. The sexual choice calculation needs to be restated so as to include the disutility of condom deployment (C_C). This significantly complicates our analysis because C_C will also be dependent on some but not all of the same variables by which we evaluate *S*. We can construct a more complete model of overall sexual utility (*U*) by including the perceived inconvenience costs of condom deployment as follows:

$$U = \underset{C,R}{\text{Max}} \left[S - C_c C - CR\left(\Sigma(P_1L_1 \ldots P_nL_n)\right) - (1\text{-}C)\left(\Sigma P_1L_1 \ldots P_nL_n\right)\right] \qquad \text{(Eq. 2-1)}$$

in which *S*, *L*, and *P* are used as defined previously, *R* is the perceived reduced risk rate as a result of condom deployment and *C* is condom use (on=1, not on=0). Using Roy's identity, the choices of condom use and reduced risk that maximize *U* can be derived as:

$$C = -\frac{\partial U/\partial C_c}{\partial U/\partial S} = 1 \text{ if condom deployed, 0 if not.} \qquad \text{(Eq. 2-2)}$$

$$R = -\frac{\partial U/\partial \Sigma(P_1L_1 \ldots P_nL_n) \times \beta}{\partial U/\partial S}$$

$\beta = 1$ if condom deployed,
R if not. (Eq. 2-3)

It appears from the above equations that in a perceptual environment in which the inherent risks of sex are perceived to be decreasing and the benefits increasing, the relative inconvenience costs of condom deployment can become quite high. This suggests that if *S>PL*-based sex education has the overall effect of enhancing the perceived net utility of sexual intercourse, it may also have the ironic and unintended consequence of increasing the perceived inconvenience costs of using condoms. Even more discouraging for the pro-condom educational agenda is that this is a best-case scenario that assumes that teens' behavior with respect to sexual choices will approximate rational market behavior, an assumption greatly open to question.

The third major flaw in the *S>PL*-based approach is that sex education theorists typically tend to be blind or even hostile to the concept of sexual economic utility or the instantaneous subjective value of sex. The failure to appreciate the concept of utility invariably leads to "Soviet Central Planner's Syndrome" (SCPS). Indeed, the current failure of our national sex education agenda bears a striking analogy to the root causes for the fall of the Soviet Union.

The economic failure of Soviet Communism was almost entirely due to SCPS. For example, when a central planning agency set a fixed price for a ton of steel, this did not affect steel's true market value to different users at different times. A tractor manufacturer may be willing to pay more for steel than an appliance maker because the latter can use cheaper metal substitutes and thus has a lower utility for the item. If a large and complex economy is not permitted to direct resources to where they are most highly valued, then it must inevitably fail.

In the same way, teens not only vary individually with respect to their marginal utility for sexual activity, individual teens manifest marked variances over strikingly short periods of time. A teenage boy who performs a risk-benefit analysis of a contemplated sex act at 11:00 A.M. while in the sex education classroom will likely reach an entirely different result when a virtually identical analysis is performed at 11:00 P.M. in the back seat of a spacious, American-made car produced by the now-resurgent and highly competitive U.S. automobile industry.

Under the latter conditions *S* (utility of the contemplated sex act) increases exponentially while the perception of *P* (risk probability) may diminish substantially, even if *L* (loss) is perceived to remain constant. In the same way that Soviet central planners could never set the right price for steel, sex educators can never hope to establish fixed values for the condom risk-benefit equation using a simplistic model. The Invisible Hand can be constrained neither by visual aids nor latex.

Rather than treat *S* as a constant value, we must recognize that teen sexual utility is a function of several variables as expressed in equation 3-1 below:

$$S = S(H_1, H_2, \ldots H_n) \qquad \text{(Eq. 3-1)}$$

in which the various *H*-factors are variables such as the mean base hormonal status of the individual, beer-equivalent unit consumption, the beer-equivalent unit consumption of the other party to the contemplated sex act, and logistical circumstance factors such as location, proximity of potential observers, music, weather conditions, time of day, and the perceived degree of consensual opportunity.

Typically, sex educators mistake the mean value of hormonal predisposition (H_1) for *S*, when in reality *S* is a more complex function subject to a great

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number of other exogenous variables.

This points to another significant difference between the 1968 and 1994 cohorts. Although the mean value of H_1 (hormonal predisposition) for a random sample of boys in both cohorts would very likely prove to be identical, anecdotal data suggests that virtually all other H factors tend to be higher on average at the present time.

The older, religio-moral paradigm of sex education actually served to reduce H values under the rubrics of "avoiding occasions of sin," "self-respect," "responsibility," etc. In addition, social organizations and families often acted to reduce greatly the logistical circumstance factors. This organized behavior, combined with the much higher PL values of that era, served to greatly reduce actual outbreaks of teen sexual activity.

However, a more striking difference between the sex education of the 1968 and the 1994 cohorts is that the objective of the earlier education program appeared to be to minimize the actual occurrence of sexual acts whereas the dominant present objective is to insure that sex acts only take place when the $S>PL$ equation is satisfied.

We must face up to the reality that even if American teens had the reasoning and math skills necessary to adequately and accurately perform $S>PL$ presex analysis, such analysis may result in a net disutility for regular condom use. Therefore, in order to preserve the macroeconomic benefits of widespread condom retail sales, a more radical pro-condom approach is called for, one that combines the net risk reduction effects of the religio-moral education paradigm while still preserving the macroeconomic benefits of widespread retail condom purchases.

Perhaps surprisingly, the only model that meets both requirements would be one that (1) requires mandatory, periodical condom purchase by teens; and (2) relies on a sex education paradigm that stresses absolute abstinence until an age of financial and personal maturity as expressed in equation 4-1:

$$S = 0 \qquad \text{(Eq. 4-1)}$$

Some may argue that this is contradictory: Why require condom purchases by persons who are simultaneously being instructed never to deploy them? In this respect, the condom purchase requirement under the proposed new sex ed paradigm parallels what was known in the older religio-moral paradigm as "rendering unto Caesar." Moreover there are substantial historical precedents for purchase and storage of condoms that will never be used. An estimated 45 percent of all men's wallets manufactured between 1957 and 1970 were put to use in this precise fashion for their entire useful lives, a consumer application that was unaffected by the decline of the domestic leather goods industry during that period with its subsequent adverse impact on the balance of trade.

The more significant criticism of the revised paradigm is that an $S = 0$ approach is an unrealistic denial of the inherently high utility of teen sexual intercourse. However, as we have seen S is the result of a number of exogenous variables, not the least of which is the role of adults in minimizing socially constructed H factors. Or, to put it in terms of the old religio-moral paradigm, adults would be required to set an example, resist hypocrisy, and actively intervene to discourage teen sex.

Reliance on PL values under the present approach sends the desired message that life largely consists of adversity risks against which the autonomous individual in pursuit of enjoyment must struggle armed only with reason and data. In contrast, an educational approach that focuses on H value components of S implies that just as adults have a vested interest in teen behavior, teens will themselves be entrusted with the well-being of the next generation. While this latter message may run counter to educational efforts to promote individualism and self-esteem, the perception that there is a long-term bond between generations may make transmittal of this and other constructive educational messages easier to effect.

This new approach runs an enormous risk of accentuating the link between sex and reproduction as well as the danger of instilling community values in the individual teen. This would, of course, be a formidable price to pay; but if it reduces the drag on the GNP from the external costs of sexual misadventure and helps create American jobs, we may be forced to consider it in light of the economic alternatives.

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For Luddite Humanism

David R. Carlin

Now that researchers at George Washington University Medical Center have split human embryos, thereby producing genetically identical twin embryos, cloning human beings is on the table for national debate.

Reactions to the event at George Washington have been varied.

Some people (the Vatican, for instance) were horrified at this development, visions of *Brave New World* dancing in their heads. These we may call the Moral Luddites (ML), unenlightened enemies of the technological utopia that lies before us.

Others said, "Why not? Science is wonderful!

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Progress is inevitable!" These are the Instant Dehumanizers (ID).

Still others, having little to say but feeling compelled to utter a weighty pronouncement on such a weighty occasion, told us that cloning contains both bright promise and frightening possibilities; continuing research therefore should be permitted, but approached with caution. In this category was the *New York Times*, for instance, which on November 6, 1993 intoned that "the issues raised by cloning are compelling and deserve the kind of thoughtful debate physicians and bioethicists are asking for." These are the Gradual Dehumanizers (GD), who do not exactly like the world they see coming down the road but cannot think of any good reason for opposing it. Thus they will let it arrive inch by inch, justifying it after the fact.

I submit that, barring some significant cultural revolution in the United States, the future of cloning is assured. The only question is whether it will be done under the aegis of the ID party or the GD party.

The ID party will win if the issue gets taken to the U.S. Supreme Court on a day when the Court is in the mood to assert its high doctrine of privacy, pronouncing that the decision to clone or not to clone is one that should be made between the owners of the embryo and the Dr. Frankenstein of their choice. If, on the other hand, the Court decides to play a minimal role in this contest, thus disregarding the doctrine of privacy it enunciated in *Roe v. Wade*, the GD party will eventually win a victory in legislative chambers and scientific associations.

I am ashamed to admit that I am so unenlightened as to belong to the ML party, having grown too old to appreciate what are no doubt the great merits of dehumanization. Why then so pessimistic a prognosis for my own party? Let me explain.

The ancient definition of the human being as a rational animal may have been a tad optimistic. But if we are not quite rational, we are at any rate logical—at least on the whole and in the long run. Give us a premise, and we will eventually draw the conclusions that follow from it. And if this premise and its conclusions have to do with matters of morality and practice, we will eventually tend to act in accordance with our principles.

Take the Declaration of Independence, for example. The premise America adopted when it embraced the Declaration—namely, that "all men are created equal"—led among other things to the Civil War and the Thirteenth, Fourteenth, and Fifteenth Amendments, and today is leading to the creation of a national health system. We are still a long way from having exhausted all the deductions to be made from the "created equal" premise.

Similarly we are a long way from having exhausted the conclusions to be derived from the privacy-and-autonomy premise—the premise that lies at the heart of contemporary American secularism and was enshrined in constitutional law in 1973 in the *Roe* decision. But this privacy-autonomy premise will justify a good deal more than abortion. Given the premise, suicide also is justified. So, therefore, is assisted suicide—for if there is nothing wrong with X committing suicide, how can there be anything wrong with Y assisting X in doing so? Hence Dr. Kevorkian seems to many to be a kind of Arthurian knight, rescuing unwilling prisoners trapped in the Castle of Life. Although the state of Michigan has taken steps to restrict his activities, who can doubt that it is only a matter of time before America follows the example of the Dutch in these matters?

And of course the privacy-autonomy premise justifies cloning. If privacy and autonomy legitimize abortion, could they not also legitimize cloning? If society and government have no right to interfere with the abortion decision, what right could they possibly have to interfere with the cloning decision, which, from the point of view of us Luddites, is far less obnoxious than the abortion decision?

No doubt there are many pro-abortion rights folks who are at the same time anti-cloning. But this is totally inconsistent of them; they don't have a logical leg to stand on. What basis besides prejudice and whim can they offer for this approval of the worse and disapproval of the less bad? None at all. Their condemnation of cloning arises not from principle but, most likely, from their not yet having grown used to the idea; or from long-ago teenage impressions of Huxley's novel; or from personal self-interest (that is, the low probability of their having to resort to cloning versus the relatively high probability of their having to resort to abortion).

Unless that cultural revolution I mentioned earlier comes along, displacing America's regnant secularism, the world will become increasingly safe not only for abortion but for euthanasia, cloning, and numerous other antihuman perversities.

We are, it seems, marching to dystopia, where, thanks to cloning, all the girls will be blond and shapely, all the boys tall and athletic. And when the boys get the girls pregnant, they will be free to choose between (a) having abortions, and (b) cloning embryos and selling the clones. And when the girls begin to lose their looks and the boys their muscle tone, euthanasia will rescue them before their once lovely bodies become a cause of embarrassment.

O brave new world, toward which we eagerly wend our way!

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On The Other Hand

Hatred Under Ice?

Peter L. Berger

There is by now a well-established conventional view about the eruptions of ethnic hatred in Eastern Europe and the former Soviet empire. This view holds that these are the result of age-old enmities, which were held under control by the various Communist regimes and thus for a time, at least in some places, were barely visible. The hatred was preserved, as it were, in amber or under ice. As the Communist regimes collapsed—the amber broken, the ice melting—the ancient ethnic passions came to life again, perhaps gaining particular new ferocity because of the long period of repression.

Bosnia-Herzegovina, of course, is supposed to be the prime example of this phenomenon. There, in the heart of the Balkans, ethnic and religious animosities go back many centuries, back to the struggles between Latin and Orthodox Christians, and between Christianity and Islam. The three religio-ethnic groups currently engaged in the war over Bosnia derive their national aspirations and indeed their very identities from these old struggles, without which what is now going on in this unhappy territory would make no sense at all. The rival groups are indistinguishable by either race or language, and it is doubtful whether religious beliefs as such have much to do with the antagonism either. None of the three groups shows signs of great religious fervor. The religious affiliations are "markers": to be "Orthodox" means to be "Serb," which means *not* to be "Latin" ("Croat") or "Muslim" ("Turk," as that term went earlier in this century). One could almost imagine that, say, hair color would do just as well to mark off one group against another. An outside observer might conclude that all of this bloodshed is completely meaningless, an outbreak of madness—unless, that is, this observer is informed as to the ancient history that, supposedly, explains it all.

How much of this view holds up? As with most conventional theories, this one has some supporting evidence. There can be no doubt about the venerable lineage of the homicidal rivalries in the region. Eastern Orthodox, Roman Catholics, and Muslims had indeed been slaughtering each other with enthusiasm for centuries, and the memory of these massacres was maintained in legends and folk songs. One could say, then, that the hatred was always "at hand."

But there is also some inconvenient counter-evidence to the theory of frozen hatred. Many reports from two periods point to remarkably amicable relations among the three Bosnian groups. One is the period 1878 to 1918, when the territory was ruled by Austria-Hungary, which was not a notably repressive regime. The other was the period between 1945 and the breakup of Yugoslavia. This is not to say that there were not some nasty prejudices voiced now and then. But the old passions appeared to have been thoroughly tamed—analogously, say, to the antagonism between Southerners and Yankees in twentieth-century America. Perhaps the best evidence for this in the Tito period is the high rate of intermarriage, especially in the cities.

The conventional theory must propose that this amity was "not real," was "only superficial." Conversely, the "reality" was the hatred smoldering "underneath," in the depths of the collective memory. Perhaps. But there is nothing compelling about this interpretation. It assumes a relation between apparent amity and latent hatred somewhat comparable to the relation between the conscious and the unconscious in Freudian psychology. The analogy is unconvincing, and in any case, the assumption invites a counter-theory: The amity and the hatred are equally real; which of the two comes to the fore is subject to political manipulation, which is capable of converting emotions "at hand" into motives for aggressive action. Thus, despite all the archaeology of hatred that Balkan historians are regaling us with, what is going on in Bosnia today can best be understood as an altogether novel phenomenon.

The two conflicting interpretations of the Bosnian situation derive from alternate understandings of history. The first derives from what might be called the ancient curse theory of history. Thus one can explain modern Anglo-Saxon individualism by the landholding arrangements of medieval England, the political systems of Latin America by the constitution of Old Castille, and the Japanese economic miracle by the brand of Confucianism adopted by the samurai caste. The second interpretation comes from what might be called an adult education theory of history. The past counts, to be sure, and there are potent memories. But the past can also be forgotten, and adults are quite capable of striking out in altogether new directions.

The two theories of history can be translated into two discrepant views of the human individual. The first implies a "depth psychology" (not necessarily Freudian), which proposes to explain human actions by the power of memory. However, a very different psychology is possible. It would be skeptical about these alleged "depths" and would hold that human existence is mostly lived "on the surface"; that the *realissimum* is the superficial world of everyday life, and the rest is dreams, cloudy intuitions, and intimations, with a doubtful status of reality. It follows

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from this latter psychology that, given certain circumstances, human beings are capable of rapid and radical change. Perhaps the best evidence for this view comes from the annals of religious conversion. Many an ancient curse has been dramatically liquidated on the road to Damascus.

In all likelihood the truth lies somewhere in between. Archaic passions may indeed live on "below the surface," both for individuals and collectivities. But the arrangements built "on top of" them—that is, the "surfaces" that try to bury the old memories—are no less real for that, and there are social and political institutions to keep this reality going, as there are social and political actions to break it down. Thus it is not difficult to imagine a course of events following the breakup of Yugoslavia that would have led to a very different situation today. The emergence of a different political leadership in Serbia and in Croatia would have been the most likely cause of such a different development. As might even now be the imposition by force of a new "surface"—by the NATO powers taking over the role played by Austria-Hungary in 1878.

I'm not sure that such an alternative view is in the nature of good news. Old memories can be evil, but so can novel actions. Old enemies can become friends, but good neighbors can turn into mass murderers, and both conversions can occur overnight. Santayana was almost certainly wrong with his famous dictum to the effect that those who will not remember history are doomed to repeat it. Human beings are capable of splendid feats of forgetfulness, be it for better or for worse. But one could paraphrase Santayana: Those who want to pretend that their intended actions are fate will remember (or, if necessary, invent) those bits of history that make it seem that way. On balance, I think, this is bad news. In the case of Bosnia, and in many similar situations, a humane outcome would have to be based on a massive loss of historical memory.

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Express

(Psalm 31)

I'm here because I hated
Heedless worshippers of words but trust
A truth. I've known the eagle's and the worm's
Eye view, and am quite happy with one room
That's not a cell, have watched my muscles
Slack my bones grown brittle, heard my stomach
Quease around an empty table. One forgotten
Cup crushed by the roadside, I hear them talk
As though I am not.

Your call, Lord. I am ashamed
For you, who might stop up their mouths with dirt
Who dare to puff and dandle lies about me.
Mercy traces hate like lightning through forked limbs
Scorching leaf and root: they thought God was a tree,
Safe shelter from the winter thunderstorms.
I spoke too quickly when I cried forgotten.
I hear my thoughts above the clamored claims
Upon your ear, and you reply: I trust that life
Lets life go on. When time's up,
Life lets go.

Laurance Wieder

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The Sanctity of Life Seduced

A Symposium on Medical Ethics

Daniel Callahan

Two important social forces lie behind the potentially disastrous turn of public opinion toward euthanasia and physician-assisted suicide in recent years. The necessary condition is the excessive emphasis in our culture on choice and self-determination. The sufficient condition, the triggering cause, has been the highly visible string of court cases from Quinlan in 1976 to Cruzan in 1990.

Those cases shared one important, eye-catching feature: someone in the throes of a critical illness was not being allowed to die, and it was necessary to turn to the courts to make death from natural causes possible. The American public took from these cases a threatening message: if you enter an American hospital or nursing home permanently unconscious, you are in danger of having your life extended beyond any point most people would care to endure. Moreover, the public has now been tutored to understand that medicine has become devilishly clever in its ability to keep your body going long after there is much, or any, likelihood that you retain any characteristically human capacities or potentialities.

The only way there will be any chance at all of keeping the evil of euthanasia at bay will be to recognize the moral and medical distortions that our obeisance to medical technology have insinuated into how we commonly think about death and dying. Unless people can be convinced that the medical behemoth will not extend their life beyond some reasonable point, they will not be much swayed by slippery-slope arguments. For them the clear and present danger is a technologically induced bad death for themselves or their family members, not the more remote hazard of involuntary euthanasia.

A particularly frightful feature of the current drive for euthanasia is the extent to which it is a genuine grass roots movement. The Kevorkians and Humphrys and Quills have given the movement some added impetus, but they have not created it. This drive existed well before they came along, with a strong shift in public opinion visible by the late 1970s, at which point a majority of people reported having a favorable attitude toward euthanasia. I am endlessly struck by the number of ordinary people, not caught up in the public debate, who fear a technological death and are as a consequence attracted to euthanasia or assisted suicide. The well-publicized court cases, I am convinced, have steadily inspired the worries about a bad death now being capitalized upon by the promoters of euthanasia.

How has medical technology—and, more important, its implicit ideology—led us astray? Its seduction has taken three forms. The first is that it has led us increasingly to think of death itself as accidental, a contingent event, no longer the result of natural forces but of some human decision. Nature is being increasingly banished as a cause of death. For the medical researcher, no known cause of death is acceptable, and the research enterprise carries on an endless war against all of them. As Leon R. Kass reminded us some years ago, the logic of this kind of warfare is nothing less than a search for immortality. For the doctor at the bedside, matters are not too much different: with a little more skill, a little more luck, a research breakthrough here or there, this dying patient before me might be saved. Although they know the feeling is often irrational, many doctors have accepted the imperious myth of modern medicine that somehow or other death has become their fault—even when they turn off a machine in the face of an inevitable, imminent, and unavoidable patient's demise. They think nature has been banished, that only their power over life and death now counts.

The second seduction of medical technology follows hard on the heels of the first. It is the incentive this technology provides for the erasure of the distinction between omission and commission, between

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killing and allowing to die. Many philosophers and others, in their search for arguments to legitimate euthanasia, have contended that since people become dead in either case, there is no serious moral distinction to be made between turning off a respirator or pulling a feeding tube on the one hand, and giving someone a lethal injection on the other. Ironically and unhappily, many conservative thinkers—out of an apparent fear of abuse of the notion of "allowing to die"—have themselves come to act as if they also see no real moral difference between omission and commission either (even if they may still agree with the distinction in principle). It is this "as if" attitude that has inspired most of the court cases; e.g., if Nancy Cruzan is not kept alive with feeding tubes, this is tantamount to killing her, not just allowing nature to take its course

The technological seduction behind all this is that medicine has now become omnipotent, holding life and death wholly in its hands. And we human beings, who wield this technology, have now become omni-responsible. Whether we omit treatment or kill people directly is irrelevant. What matters is that, whatever we do, death has now become our responsibility and can no longer be blamed on nature.

The third seduction is the way the ideology of medical progress and technology has managed to capture the principle of the sanctity of life and turn that principle to its own advantage. As one of the great contemporary apostles of medical progress, the lay lobbyist Mary Lasker, once revealingly put it, "I'm really opposed to heart attacks and cancer and strokes the way I'm opposed to sin." Death by disease has, in an age that cannot accept human finitude or mortality, become the equivalent to death by malicious human intent. Correspondingly, many of those who would uphold the sanctity of life seem now to believe that they must follow technology wherever it goes so long as it preserves life. Medical technology, the child of the Enlightenment, has coopted the ancient principle of the sanctity of life and turned it into its handmaiden.

Is there any way to overcome this captivity to technology, to allow death to return to its natural place, the destiny of us all? I want to urge two principles that could help us toward that end. The first principle is that no one should have to die a worse death as a result of medical technology than would have been the case prior to the invention of that technology. If technology threatens to leave us worse off, and we nonetheless feel obliged to use it, we have then indeed become its slaves. The second principle is that doctors should feel as great an anxiety that a patient will die a poor death from technological excess as the present anxiety that the patient will die because there is too little technology; and these dual anxieties should remain in tension with each other, neither the one nor the other being allowed to gain the upper hand. The moral bias now is so powerfully in the direction of using technology to preserve life that patients are put at risk of a poor death as a result. That bias needs changing.

If used properly, the traditional moral distinction between ordinary and extraordinary treatment can be most helpful in avoiding the technological seductions I have mentioned. I take that distinction to mean, in its traditional sense, that no one is obliged to undergo treatment that imposes too heavy a burden if there is no significant and corresponding benefit. A more conservative, nontraditional, sense has, however, recently become popular in some circles. It is that benefit to the patient consists of any non-burdensome treatment that will sustain life, whatever the condition of that life, even the zombie-like life of the victim in a permanent vegetative state (PVS). Moreover, if a non-burdensome antibiotic will sustain the life of someone with advanced cancer, there is, in this view, an obligation to provide it—even if the final death will be worse than that temporarily averted by the use of the antibiotic, and even if much worse than it would have been prior to the discovery of antibiotics.

For my part, I can imagine no conceivable moral or spiritual benefit in being kept alive technologically in a PVS state. It is a condition actually far worse than that of a newly fertilized egg; the latter has a potentiality for developing characteristically human traits, while the former has forever lost that possibility.

For those who nonetheless believe there is value in preserving the life of someone in PVS, I suggest two questions they might put to themselves. Before respirators and artificial feeding existed, would they have wanted medical research to invent those devices for the *sole purpose* of keeping PVS patients alive? If one believes it a good to be kept alive in a PVS state, does this not imply that further research should be carried out to make such a thing even more possible—to keep those in that state alive longer and longer, even a full lifetime?

What about the cessation of artificial nutrition and hydration for the PVS victim? Is that moral? About a decade ago, when I first began thinking about this issue, I was far more reluctant to support such cessation than I am now. Two factual discoveries changed my mind. The first was that artificial nutrition and hydration were first developed only as a temporary means of helping a person overcome a temporary inability to eat or swallow water, e.g., as part of the recovery process in the aftermath of an operation. It was only in the 1970s, after some major improvements in the tubing and techniques of nutrition and hydration, that the procedure became more widespread, eventually being used routinely with PVS victims. My second discovery was that the inability to eat, and a failing desire to eat, is itself one of the classical symptoms of a dying body. An inability

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to eat was not, in the past, taken as evidence that a patient was "starving" to death, but only manifesting a symptom of a dying body. The word "starving" was only recently introduced as part of the polemics about artificial nutrition and hydration.

These two discoveries led me to conclude that extended artificial nutrition and hydration for the PVS patient should be considered "extraordinary" treatment, neither "ordinary" medical treatment nor, for that matter, ordinary nonmedical caring. It was only because, once again, technology had coopted the sanctity of life principle that many came to see the cessation of artificial feeding as itself a killing. Once again, what had been a legitimate omission prior to the new technology was now turned into an act of commission. The perfectly natural process whereby a dying body can no longer take food or water has been transmuted into something that has become our fault if we don't use the new technology to remedy the situation.

In sum, in the argument that a PVS patient ought to be sustained as long as possible I see the unhappy fruits of the three technological seductions I described above: death by "starvation" has now become our fault, not nature's, if we omit treatment; the distinction between omission and commission is erased in the insistence that the stopping of artificial feeding is the same as killing the patient and, as too often happens, a new technology gets legitimated and routinized by an invocation of the sanctity of life. And just to make matters worse, the still useful and traditional distinction between ordinary and extraordinary treatment has been corrupted, making it appear as if it is mere ordinary treatment to preserve the body of a PVS patient indefinitely.

Perhaps there are those who believe that it is a great medical step forward that we can indefinitely sustain the lives of those who have lost their human potential, or who believe that the sanctity of life is enhanced by large numbers of permanently unresponsive bodies being sustained through a network of feeding tubes at one end of those bodies and excretory tubes at the other. I think, on the contrary, that technology got the better of them once more. Medical science is very clever in making us feel guilty about accepting the end of human life; in its hubris it has led us to think of death as a curable condition, or at least indefinitely postponable. Human life had value before technology came along, and if death is an insult to the human condition, that insult requires a spiritual, not scientific, remedy.

Daniel Callahan *is President of the Hastings Center and author of the recently published book* The Troubled Dream of Life: Living with Mortality *(Simon & Schuster).*

Responses to Daniel Callahan

Gilbert Meilaender
(An imaginary dialogue)

GM: I have to say right at the outset, Dan, that *The Troubled Dream of Life* is a superb book. I've read much of what you've written over the years, and this is the very best—thoughtful, provocative, and even (as one reviewer put it) pious. Anyone who finds your article in this symposium worth reading will certainly want to turn to the book itself.

DC: I'm pleased to hear you say that, Gil, especially since we don't agree on every aspect of these questions. Pleased as I am, though, I suspect you're not going to let praise have the last word.

GM: Oh, but I will. Of course, words of praise at beginning and end may still bracket a few dissatisfactions that need probing. I'm not always certain that some of your points are made as precisely as they should be. And in some respects I think you're almost too concerned with stopping the growing euthanasia movement.

DC: Too concerned? Surely you don't mean that.

GM: Yes I do. In order to draw a line that you think will work for public policy, a line that may keep euthanasia from becoming legally sanctioned, you have to ignore the fact that we may already be there. We may already be deliberately letting die people who aren't really dying—and doing so simply because we think their lives aren't worth preserving.

DC: That's a serious issue, and, as you know, I've addressed it. But don't you think it's important that we try to undermine the growing sentiment in support of euthanasia?

GM: Of course.

DC: Then a line that makes sense to people—such as the line between omission and commission—may be exactly what our public policy needs, even if it doesn't capture every distinction as precisely as we might like.

GM: Perhaps that would make good sense if one thought the line you draw will hold forever, but I don't think it will. I suspect a day will come when we say, "Why not kill by commission? After all, we've been doing it by omission for a long time."

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DC: I'm not sure I follow you.

GM: Look, Dan, you know that I don't entirely disagree with you. Certainly if someone dies because I shoot him, I have caused that death in a way I haven't if I simply do not give him medical care that he needs to live.

DC: Agreed. That, indeed, is part of *my* point.

GM: But will you agree that there might also be occasions when I could be *culpable* even if I did not cause his death? Culpable because I failed to do for him what I could and should have done?

DC: Yes, of course, though I doubt that we'd agree on *which cases fit that description.*

GM: Probably not, but let's take what we can get for the moment. And let's suppose that in our society today there are in fact cases—more by my reckoning, fewer by yours—in which we are culpable for deaths we haven't caused. Culpable because we gladly seized an opportunity not to treat when in fact we should have treated. In such cases, then, our aim and intent is to bring about death—even if by omission rather than commission. And, therefore, I suspect a day will come when we look back upon this time as a transitional stage on the way to approved euthanasia. In that day we will say, "We were already doing the moral equivalent of euthanasia; we just weren't yet prepared to call it by its right name."

DC: I get the point all right. But I think it's a bad strategy to adopt; it just plays into the hands of those who build on current practices to win approval of euthanasia. And I still don't think you appreciate sufficiently the important difference that remains between omission and commission. We die because it is our nature to die. And the natural world is a "given" and a "limit" up against which we live. We cannot entirely reshape it, as if we could create our own world. And we shouldn't suppose that whenever someone dies we are responsible for not keeping him alive longer. Everyone must die sometime. We are not culpable because that day has come; yet modern medicine tends to make us feel as if we are. It makes us feel as if we must always choose life.

GM: And so we ought. Jews and Christians, at any rate, have said that we should always "choose life."

DC: But that's exactly my point. Religious believers, affirming (as they suppose) the sanctity of life, end up as slaves to our technology. They think they are morally obligated to follow wherever it leads.

GM: No, I think you've got it wrong there, Dan. There *is* a kind of surface similarity between two quite different ways of seeing death as an enemy. Medical science sees it as an enemy; so does religious faith. But religious faith does not affirm life as the ultimate good to be pursued, since it accepts God as the limit to our plans and projects. Such faith allows us to acknowledge death when its time has come without choosing it or aiming at it.

DC: Are you sure that distinction you make has any cash value? From where I sit it looks as if you religious folk just end up always wanting to treat, and you never acknowledge death soon enough for that death to be a relatively peaceful and tolerable one. That's where you end up when you are never willing to acknowledge that life can become a burden we no longer wish to sustain.

GM: Let's consider one of your own examples. You object to a view (my own, as you know) that we can *reject the burdens of treatment but should not reject* the burden of *life* itself. Suppose, you say, "a non-burdensome antibiotic will sustain the life of someone with advanced cancer." Are we obligated to provide it? Or might we not just say that, in order to avoid a worse final death, we can act as if antibiotics had never been discovered and were not available. Is that a fair summary of your illustrative case?

DC: I think so.

GM: Here's a place where more precision seems needed. I'm confident you don't want to say that an otherwise healthy twenty-year-old with a severe case of bacterial pneumonia may properly decline antibiotics—thinking thereby to avoid a worse death fifty years down the road.

DC: Of course I don't.

GM: And I, in turn, don't want to say that the person with "advanced cancer"—that is, one who is already well into his dying—must necessarily accept an antibiotic. But it's important to be clear why I would say that. Is his life experienced as burdensome? Almost surely. Can we understand that he might want to die? Certainly. Is it morally permissible, therefore, for him to choose to die—to decline the antibiotic *so that* he will die? I don't think so.

DC: So he has to take it and suffer a worse death than he might otherwise have?

GM: No. I already said he didn't have to take it. He doesn't have to take it because—by the very terms of the case—he is already dying. For him this antibiotic has become just as useless as many treatments for his cancer, since—as Paul Ramsey once put it—the one dying is a person and not simply an ensemble of diseases.

DC: Well, that is not the way I would put the matter, but suppose we put it your way for the moment. We're still in agreement on the two cases. The twenty-year-old with pneumonia would be wrong to decline the antibiotic. The man or woman dying of advanced cancer would not.

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GM: Shall we add one more version of the case and see whether we continue to agree? Suppose now that our patient is a seventy-seven-year-old man, relatively robust physiologically for his age, but suffering increasing dementia. Suppose now that he is the one with pneumonia.

DC: I suppose you'd say we ought to give him the antibiotic.

GM: Yes, I would.

DC: Even though we may be keeping him alive to suffer a worse death down the road?

GM: Who can say whether that will be the case? You are the one who has written—very eloquently—about the moral failure involved in our attempts to control and shape the whole of life. In this case the antibiotic would clearly be useful in preserving his life, and the treatment itself would not be a burden to him.

DC: Yes, but his life may be a burden.

GM: Of course. And I already granted that we might even wish or pray that he would die. That's quite understandable, and I don't think there's anything wrong with it. But if the burden I seek to rid him of is not the treatment but the life, then I fear I am doing more than wishing he could die. If I don't treat him for that reason, there would be no way to describe my "plan of action" other than by saying: "I won't treat him *so that* he will die." And that I wouldn't want to say. If the burden to be gotten rid of is his life, then that life is what I'm taking aim at.

DC: Well, I doubt that we can reach agreement on this case. But perhaps I can press you just a bit. Are you going to put a feeding tube in such a patient if he can't or doesn't eat? You have, after all, written in defense of artificial nutrition and hydration.

GM: True. But here again we need to make some distinctions. Suppose we try to feed him by tube and he constantly pulls at it, seeming to find it burdensome. I wouldn't restrain him in order to feed him. I'd accept the fact that this *treatment* was burdensome for him. What I've noted in earlier writings, however, is that such an argument cannot work in the case of patients in a persistent vegetative state, since, as far as we know, they do not find a feeding tube burdensome.

DC: All the worse! So we have to sustain the life of people in what I can only call a "zombie-like" state?

GM: Shall we ask ourselves for a moment what the best way to describe these people is? One of the really beautiful parts of your book—a part that doesn't make it into what you say in your short essay here—is the section (in chapter 4) on "Mourning the Loss of the Optimal Self." You suggest that there is no ideal point in life at which we are most truly ourselves. And while granting that we cannot bear to think of ourselves as having lost our intellectual capacities, you even say: "[I]t may be no less a mistake to think that we must have an optimal mind than that we must have an optimal body." Our lives do not lack dignity when our mental capacities fail. I take it that you and I agree about that.

DC: Yes, I think we do. But surely treatment—including feeding by tube—for the PVS patient is a perfect example of futile treatment. And you yourself allow that we have no obligation to provide useless treatment. An inability to eat is a perfectly natural part of the process of dying. That a person in a persistent vegetative state cannot take in nourishment is not our fault; it is simply "a symptom of a dying body."

GM: If I were persuaded of that, Dan, I think we could agree about proper care for PVS patients. Indeed, when I first wrote about this question I noted that "at least in some cases . . . lapsing into permanent coma might be a sign that a person is trying to die." If it is—whenever it is—I would have no moral objection to withholding or withdrawing a feeding tube. But, as you know, the true PVS patient is physiologically robust; he may live for years if given nourishment. It's rather hard to see such a person's failure to eat as a symptom of a dying body. I suspect, in fact, that the real symptom is our failure to feed—a symptom of our profound dis-ease before one who is clearly one of us yet so unlike us.

DC: Well, if you don't like my description of these patients as dying, what alternative would you offer?

GM: I would describe a Karen Ann Quinlan or a Nancy Cruzan not as a dying person but as a severely disabled person. Similarly, a quadriplegic is severely disabled and unable to feed himself, but he is not a dying person. The fact that he is unable to give himself nourishment is not a symptom of a dying body; it is the result of a severe injury and disability.

DC: And in an earlier age you would have tried to develop a feeding tube for the sole purpose of keeping alive a person in a persistent vegetative state?

GM: I would have tried to do anything I thought might benefit the life the person has. That doesn't necessarily mean developing a feeding tube. It might mean spending hours trying to provide some nourishment by mouth. That such an attempt would fail is no doubt true, but, as you well know, we don't have an obligation to succeed.

DC: Let's talk more another time.

GM: Agreed. And, Dan, it really is an excellent book.

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William B. Smith

Daniel Callahan is surely correct that stern proponents and opponents of euthanasia can share the same obsession—control. Some medical types resent death because it seems outside their technical "control"; some pro-choice types resent any suffering or discomfort, again outside their "control."

Life control, birth control, death control—there is a controlling logic here, a gnostic "worldly" wisdom that does not like the world we have been given and by supreme effort seeks to construct a world that can be controlled.

No convinced Christian is obliged to prolong life "indefinitely," nor should he even try. Medicalizing technology to prolong life indefinitely is as futile as it is obscene. But I would differ with Callahan on what motivates the obsessed controllers; I doubt that it is fear of non-beneficial benefits as much as it is loss of belief in the afterlife.

Guessing at motives aside, what I fear is the loose use of language, especially by bean counters who will find some system (rationing, rating, capitation) to declare non-beneficial benefits not cost-effective and thus no longer available.

When functional definitions are wedded to financial decisions, some folks are going to be defined off the human list. I take it as a guiding principle that all social engineering is preceded by verbal engineering. Thus, I am reluctant to accept neologisms and am uneasy with such terms as "merely physiological existence," or "biologically tenacious individuals," or, as Daniel Callahan would have it, "the zombie-like life of the PVS victim."

In time, words shape (engineer) the deeds we do and sanction. Not long ago, there were special provisions in place ensuring that, in most instances, assisted nutrition and hydration was outside the category of "extraordinary" care for PVS patients. Legally, this is no longer the case. Legally, the list of patients deserving human care is shorter today. On the caring list, PVS is now an unlisted number—not only in the dying context where nothing more reasonable can be done, but now in the chronic cases who are simply not dying fast enough.

What has changed so fast in so few years? I suspect not the discovery of some medical history about what motives helped introduce some new technology, nor the announcement that it is symptomatic of the dying body not to want food. The latter simply begs the question by smuggling the word "dying" into the description, thus verbally converting a chronic case into a dying one.

What has changed, I think, is a bit of verbal engineering. Where Callahan focuses on "potential for development," others speak of capacity for "cognitive-affective" behavior. If or when that potential or capacity is lost for the PVS patient, then the human status deserving of medical-nursing care is lost as well. When we draw that kind of quality-of-life functional line, some folks are going to qualify and some won't.

The PVS designation is treated as a label whose time has come. It is presented as an air-tight scientific diagnosis as stringent in its discovery as it is unarguable in its outcomes. Indeed, some professional groups (or spokesmen for same) have so declared. Long ago, T. S. Eliot warned us: "words spread." I may be slower than others, but I do not find in the literature absolute statements of the clinical factors unanimously agreed to by medical professionals defining PVS. Such unanimity would be important when the PVS label automatically removes someone from the human care list.

I accept the conventional ordinary/extraordinary distinction of received Christian teaching: ordinary = obligatory; extraordinary = optional. I further accept the definition of euthanasia put forward by the Congregation for the Doctrine of the Faith (CDF) in its *Declaration On Euthanasia* (1980): "Any act or omission which of itself or by intention causes death." I also accept the CDF view that "when inevitable death is imminent in spite of the means used, it is permitted . . . to refuse forms of treatment that would only secure a precarious and burdensome prolongation of life, so long as the normal care due to the sick person in similar cases is not interrupted."

"Imminent" in the above view is to be understood as hours or days, not six months or a year. Also, while the failed "treatment" aspect of the above quote is often cited, the qualification—"so long as the normal care . . . not [be] interrupted"—is often omitted.

The CDF *Declaration* addresses but does not precisely answer all cases of PVS. An excellent resource paper of the U.S. Bishops Pro-Life Committee issued in 1992 further specifies the assisted nutrition and hydration question ("Nutrition and Hydration: Moral and Pastoral Reflections"). Wisely, in my view, the U.S. Bishops did not try to resolve every PVS situation case antecedently, but they did propose a nuanced statement of correct principles and presumptions that are helpful in the resolution of each PVS situation—case by case. This case-specific approach seems wiser to me than a one-size-fits-all label that is scientifically unavailable and morally dubious.

In the non-dying context, the presumption is for assisted N&H unless specific pathological factors urge otherwise. Often, unfortunately, the clinical factors do not turn the moral fulcrum but rather legal and procedural elements do: family wishes, signed directives. We live in a society that seems more concerned with signing the right forms than with doing the right thing. Procedural ethics continue to swamp and consume substantive ethics at every turn and in every context. The fact-specific calculus may not sit

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well with the legal mind, but common or general laws seem uncommonly clumsy instruments for such fine-line detail.

There are exceptions to the pro-N&H presumption. Surely, for a patient who can no longer assimilate food, N&H provides no benefit; similarly, some stomach cancer cases result in feeding the tumor instead of the patient; and there are those who are so fragile that almost any invasive insert causes more problems than it relieves.

In these cases, I assume death is truly imminent. But in the chronic case, where the patient is not in imminent danger of death, the omission of assisted N&H is a lethal omission, for by that omission we set in motion a chain of events known to be death-dealing.

Of what benefit is this assistance? The support—caring even where there is no curing—affirms human solidarity in both directions: care-giver and care-receiver. It is a human virtue to care for those who cannot care for themselves, and in that act of caring we affirm that it is a human person we care for—not some mere physiological process. After all, we water live plants with regularity. Do our own kind deserve less?

But once the "potential for development" sock is fitted to all PVS patients, how does one control the logic of that functional standard? There are some persons so badly compromised at birth that they do not or never will have such potential. I don't suggest that doctors and nurses will not feed them, but I'm not sure the bean counters will.

Some judge, in some jurisdiction, will soon discover that someone's "right to privacy" is broad enough to include the "right" not to care, or that suicide or assisted suicide are implicit in the "concept of ordered liberty." Several courts have already sanctioned dehydration as the "treatment of choice"—if it is so chosen by the patient, or by the patient's proxy.

In my view, the PVS situation should be considered case by case with agonizing attention to case-specific detail. A one-size-fits-all label seems to simplify a difficult matter, but it simplifies too much by simply removing a whole category of persons from the human care list.

About that removal, bean counters may have no scruples; but ethicists should.

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M. Therese Lysaught

How can a theologian resist commending Daniel Callahan for his closing line: "[I]f death is an insult to the human condition, that insult requires a *spiritual,* not scientific, remedy"? This insight in itself makes Callahan's an important article. Overall, I agree with him, I disagree with him, and I want him to push the logic of his argument to a more complete conclusion.

Where do we agree? He is correct that it is crucial to maintain the moral distinction between acts of omission and commission. Further, his analysis of the relationship between medicine, technology, and the fact of death is compelling, although ultimately he gives too much agency to technology: it is primarily the ideology behind technology, and not the technology itself, that does the damage. And finally, I appreciate his challenge to recover the distinction between ordinary and extraordinary treatment; this would certainly be a helpful, practical first step in beginning the process of reassessing and reordering our relationship with technologies at the end of life.

Where do we disagree? This retrieval of the ordinary/extraordinary distinction is more a "scientific" solution than a "spiritual" one, and I am concerned that this technique alone will, in the end, primarily treat a symptom rather than cure the disease. For as Callahan rightly notes, our captivity to technology results from its implicit ideology—our confusion over the meaning of death. But while his solution—recovering a notion of death as natural—could alleviate the agony of particular dying individuals and their caregivers, I am not convinced this will effectively ameliorate those conditions that impel public opinion toward the "potentially disastrous" outcomes of euthanasia and assisted suicide.

Why? The problem lies with the notion of the "natural." Natural can be construed in two diametrically opposed ways. On the one hand, we live in a culture that is thoroughly Baconian, evidenced best in capitalist expansion and medical pioneering. In this view, nature, especially construed as raw, unfettered, unpredictable power, is there to be mastered, overcome, shaped, and directed to meet human needs and ends. To be human is to control nature, to decide how it will serve human ends. Within this framework, therefore, to define death as *merely* natural may well fuel the impetus to denaturalize it, to work to overcome it. This is one source of the tyranny of technology and may well only further it.

On the other hand, understanding death as a natural event may further fuel the impetus toward euthanasia and assisted suicide: if death is merely natural—the end of a reasonable span of a full and meaningful life with nothing to be feared—it may well be fully rational, completely reasonable, to end it when the capacities of (natural) life no longer meet the needs, goals, and wishes of the individual. Certainly Jack Kevorkian and his patients accept death as natural.

Thus, Callahan is correct that implicit in the tyranny of technology is the ideology of our understanding of death. But here his logic compels him to go further:

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implicit in our understanding of death is the ideology of the autonomous individual, in short, our anthropology. Clearly, Callahan recognizes that anthropology is central to the problem; he notes that our culture places "excessive emphasis on choice and self-determination," and that this compels us to want to find a human decision behind every death. But he does not pursue this further. It is this anthropology that must be addressed; this is the *spiritual* issue at stake.

That the issue at stake is a spiritual one is evident in the religious imagery that pervades Callahan's account of technological medicine: that the war on death is a search for "immortality"; that the dying patient might be "saved"; that medicine is seen as "omnipotent, holding life and death wholly in its hands"; that a lobbyist equates heart attacks, cancer, and strokes with sin (interesting rhetoric in the public sphere, but I'll save that discussion for another day).

In most cultures, questions of immortality, salvation, sin, and the meaning of death have been answered and continue to be answered within religious traditions. Buddhists, Christians, Hindus, Jews, and so on recognize a power in life—identified with a sense of the sanctity of life—and a power in death, insofar as death seems to overcome, eliminate, evacuate the power of life. But generally, life is not considered essentially sacred, that is, in and of itself. Rather, it is considered sacred because it is a gift from the source that holds the power of life. It is a gift held in trust; a gift to be returned to the giver throughout the course of life in the form of worship, procreation, a good life, and finally in death. In short, life derives both its limits as well as its meaning from a wider context ordered to interrelated ends—nature, community, and/or relationship with the transcendent. Likewise, human bearers of that life draw their identity, self-understanding, and the meaning and limits of their agency from a context ordered to ends beyond their individual choosing or effecting.

We have, however, lost our sense of being part of anything larger than our single selves. The Baconian turn demythologized nature and the Enlightenment elevated the autonomous human individual to the status of the transcendent. No longer does human life—and correlatively human dying and death—draw its meaning from the context within which it is situated, be that the rhythms of nature or the story of God-in-history. Human life is now *essentially* sacred rather than sacred by participation. Consequently, "salvation" becomes equivalent either with the prolongation of biological human life at all costs or with individual control over the way a particular life ends. Medicine and medical technology have become our soteriology.

Thus, the problem is not so much that technology has seduced the sanctity of life. Rather, individualism and autonomy have seduced the meaning of human life, and therefore, the meaning of human death. Human persons have become idols, worshipped as ends in themselves, cut off from any sort of context that might provide them with meaning. We don't know who we are, we don't know how to live (well), we don't know how to talk together about these questions, and we don't know how to die. This is precisely a spiritual crisis.

Callahan has taken an important step toward overcoming the tragedies of lives unnecessarily prolonged by out-of-control medical technology. He has helpfully challenged the idolatry of technology, but the problem of idolatrizing human life remains. The problems of euthanasia and assisted suicide point us to deeper spiritual questions: questions of human identity, agency, control, finitude, and humility before the aspects of reality that truly transcend human existence. These are first questions of how to live well before they are questions of when to die and how to die peacefully.

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Caroline Whitbeck

Daniel Callahan makes a constructive contribution to the discussion of medical interventions at the end of life by emphasizing that the dying person often ceases to want or take food, not because of depression or out of an attempt to starve to death, but because his or her body can no longer metabolize food. He is to be commended for abandoning his earlier position that the dying should be fed, even against their wishes.

The middle class in the United States is unused to seeing death, or birth either. (The white middle class may be especially culturally deprived.) Ignorance of many matters of birth and death often leads people—medical ethicists, patients and their families, and even health care providers—to make misinformed or inadvertently cruel decisions. It is nurses and nurses' aids who now attend women in labor, care for newborns, and provide most of the care of those who are seriously ill or dying. For most of humanity these aspects of what we regard as nursing care are provided by family or neighbors.

It has become common for us to have serious decision-making responsibilities when we are facing one of our first experiences attending a dying person. Most of us are doubly unprepared: we do not understand the constantly changing array of medical options, and our culture's obsession with self-determination has permitted us to turn away from uncomfortable realities of the human condition because they are relegated to our "private lives." As a result most of us are seriously unprepared for some of our most important responsibilities for those closest to us.

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Medical ethics might have made a concerted effort to overcome the dangerous ignorance of the American middle class, but it has not. The dominant voices have not been those of nurses and other providers of care informing us about medical interventions, nor the voices of patients and families who have faced these experiences, nor those of the lay and ordained pastoral caregivers who have supported and advised members of their faith communities as they tried to understand and respond well to these complex and frightening situations.

The dominant voices in medical ethics in the last twenty years have largely sought to fit wrenching human problems to abstract models, especially the model of "dilemmas," that is, "forced choices between two equally unacceptable options." Such abstract representations have distorted those problems and often undermined public understanding of them. A common approach to resolving the artificial abstract problems is to propose general "principles" from which one might simply deduce a response.

In the last decade major figures from Alasdair MacIntyre to Annette Baier, Stephen Toulmin, and Albert Jonsen have offered a variety of powerful arguments against abstract approaches to ethics and, in particular, against the attempt to address moral problems by formulating "principles." Objecting to the formulation of such abstract principles does not require that one altogether dispense with principles in moral argument. I agree with MacIntyre that although there are no timeless, ahistorical principles or moral rules, there are enduring principles, principles linked to a domain of application and that have stood the test of time, "surviving a wide range of challenges and objections, perhaps undergoing limited reformations or changes in how [they are] understood, but retaining [their] basic identity through the history of [their] applications."

Moral change does not necessarily require formulation of new principles, however. For example, some hospitals, such as the teaching hospital in which I help teach the students from the Harvard-MIT Program in Health Sciences and Technology, have made significant changes in their policies in the last few years. Thus it is no longer their policy to attempt resuscitation on any patient who undergoes cardiac arrest unless there is a "Do Not Resuscitate" (DNR) order. Such changes are certainly due in part to the recognition that the attempt to resuscitate often breaks the bones of an older patient's breast plate, a condition from which the patient never recovers and which causes the patient great pain.

(Hospital policies have also been influenced by recognition that the concentrations of the HIV virus rise significantly in dying AIDS patients, and most health care workers who have contracted AIDS from their patients have done so performing interventions like cardiopulmonary resuscitation with dying patients. Therefore, reforms such as changes in policies about the necessity of DNR orders may be less common in regions where there have been fewer AIDS patients.)

It is heartening to see Callahan take account of some particulars about dying, but he does not go far enough. I agree that the difficult problems surrounding health care at the end of life ought never to have been constructed as a dilemma with involuntary euthanasia at the bottom of one slippery slope and force-feeding of dying patients at the bottom of another. But why should we blame "technology" for this construction? There is a criticism to be made of our common expectations of technology. Stephen Lammers has made the point that our society regularly looks to technology to solve perennial human problems. Such problems as suffering and death are ones that we cannot solve, however; we can only cope with them. The difficulty is not with technology but with our unrealistic expectations of it.

The construction of a forced choice between involuntary euthanasia and force-feeding of the dying (or those in a persistent vegetative state) arises from inattention to the actual situation. As one moves closer to the situation the illusion of a slippery slope disappears and some levels of terracing become clear. However, neither the principles nor the distinctions that Callahan offers take us very far.

Callahan's first principle—that "no one should have to die a worse death as a result of medical technology than would have been the case prior to the invention of that technology"—helps only with the few cases in which one is certain how and when the patient will die if treated. Most cases are like the one I encountered some years ago at one of the medical schools at which I taught. A Roman Catholic priest, who was showing signs of rejecting a transplanted kidney, clearly expressed the desire, if and when the transplant failed, to die in the company of his friends, also religious, who visited him regularly. He expressed great concern that he not die alone and that his death not be dominated by medical interventions.

The person who brought the example to my attention was a young nurse, a Roman Catholic herself, who understood the priest's expression as not merely a preference but a spiritual concern in keeping with his whole set of religious convictions. She was gratified that the priest's physician was fully supportive.

One Monday the nurse returned after a weekend off to find that the priest had gone into crisis. The priest's regular physician was away and the physician in charge had begun a vigorous effort to "save the life" of the priest. It was not certain when the intervention began that the conclusion would be death. However, that was the result. The priest died, isolated from his spiritual support and surrounded by a flurry of medical activity. The nurse was appalled at

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this betrayal of the priest's trust. She was confident that the priest's own physician would have permitted comfort measures only.

This was a worse death, but it was not fully predictable when the intervention began. Furthermore, it is not by some applicable-to-all "quality of death" measure that this death is judged worse. Identical interventions might have been quite appropriate with another patient in the same medical circumstances but for whom surviving to see the birth of a grandchild held special meaning. What was wrong with the care of the priest can be understood only in relation to the practices by which the sacred was recognized and celebrated in this person's life.

The distinction between ordinary and extraordinary fails for many of the same reasons as Callahan's first principle, although I certainly agree that it is wrongheaded to seek to force on patients "any nonburdensome treatment that will sustain life, whatever the condition of that life."

The word "ordinary" can be heard in many different ways, such as: what is routine (at this facility); what is covered by health insurance; what is an established, as contrasted with an experimental, treatment. The language of ordinary/extraordinary is dangerous since it is likely to be misunderstood. In one widely known case a couple who witnessed a series of harrowing interventions on their newborn child after they had specified "no heroic measures" said, "It all looked heroic to us." The staff had interpreted their words to allow all procedures that were routine in the *newborn intensive care* facility.

The criteria of "burden" and "benefit" that Callahan specifies for application of the ordinary/extraordinary distinction are vague. As with the criteria for his first principle, these fail to take into account the uncertainty that prevails about the results of medical interventions, and do not consider such specifics as the place of practices in which the person experiences or participates in the sacred. Surely these ought to be a part of any consideration of the sanctity of life.

Even the established distinction between omission and commission may cause confusion, especially if not tempered with the principle of double effect. Many of the medications for severe pain also depress respiration and so hasten death. Families often face a double bind—either risk killing their loved one, or risk letting the person suffer unnecessarily. They escape that double bind by refusing to have their family members die at home—which may have worse results yet.

Callahan's second principle addresses health care providers, or at least physicians. Let us interpret it as a specification of the physician's responsibilities rather than, literally, as a stipulation of what physicians should feel. Locating moral responsibility with people is better than scapegoating "technology." However, the question of a person's participation in meaningful practices is a matter about which physicians may not be knowledgeable. For example, suppose that a given patient now either dying or in a PVS had experienced the risk of starvation for some period in life. Contrast this patient with another with the same medical profile but who had fasting (as an aid to spiritual centering) as a part of his or her spiritual practice. Supposing the patient to have any awareness of the care being given, might not the cessation of feeding be different in the two cases because of the difference in the meaning of hunger for the two? For the first patient one might continue giving food after antibiotics had been stopped, but do the reverse for the second.

My arguments and examples are meant to illustrate how the role of what Alasdair MacIntyre and Stanley Hauerwas call "internal goods" need to be considered in forming policies about medical care. As they argue, ethics has gone astray by focusing exclusively on "external goods," that is, on the goods that are the external ends or goals of some activity or practice. (For example, producing crops is the external goal of farming.) The goods that are continually neglected are those that are internal to the practice, that is, those that are achieved *in* the practice. Hauerwas gives as examples of practices with significant internal goods, baseball and the worship of God.

A good death is to be understood not only in terms of the relative absence of pain and disability but also in terms of whether we keep faith with each other and ensure that the dying are neither betrayed, abandoned, nor invaded in the care they receive, in particular, that recognition and support is given those spiritual concerns that have been central to their lives.

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William E. May

Daniel Callahan is quite correct, I believe, in saying that one of the principal reasons for the growing acceptance of euthanasia in our society is the legitimate fear many have of a "technologically induced bad death for themselves and their family members." It is crucially important to respect the right of competent patients, and of persons charged with the care of those whom the late Paul Ramsey termed "voiceless" patients, to refuse burdensome and useless treatments. This was the precise issue examined so thoroughly and competently by Germain Grisez and Joseph Boyle in their very important, but unfortunately little noticed, study, *Life and Death with Liberty and Justice: A Contribution to the Euthanasia Debate*, published in 1979.

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Callahan is also quite correct in recognizing the crucial moral difference between killing and allowing a person to die his or her own death, inasmuch as it can be morally right to withhold or withdraw life-prolonging measures when their employment is unduly burdensome and/or useless. Yet Callahan, I fear, too easily equates "allowing a person to die" with acts of omission. *Some* acts of omission are lethal, because they are adopted precisely as a means to bring about someone's death. As the *Declaration on Euthanasia* prepared by the Congregation for the Doctrine of the Faith in 1980 correctly observed, "By euthanasia is understood an action or *an omission* which of itself or by intention causes death, in order that all suffering may in this way be eliminated."

This brings us to the central issue of Callahan's essay, the proper care of persons in the so-called "persistent vegetative state." Callahan's basic argument, so it seems to me, is that we ought not provide these persons with food and hydration by tubal means *because their lives are of no value to them.* He has passed, so it seems to me, from judging whether a *treatment* is burdensome and/or useless to a person to judging that some individuals' *lives* are burdensome and/or useless to them. He describes their lives as "zombie-like," and says that the condition is "actually worse than that of a newly fertilized egg" (I'll return to the question of the "fertilized egg" below). The implicit judgment is that persons in the so-called PVS condition are better off dead than alive and that, therefore, it is of no use or value to them to be given the food and water necessary to sustain their burdensome and useless lives. But if it is indeed true that the lives of PVS persons are of no value to them and it is morally legitimate to withhold or withdraw food and hydration from them in order to relieve them of the burdensomeness of their useless lives, then surely it would be morally legitimate to hasten their deaths, which would undoubtedly be prolonged were they not to be fed or hydrated, by some active means.

Callahan also presupposes that PVS persons are in the process of dying. At one time I shared this presupposition, but I have since learned that this is *not* the case. In fact, the American Academy of Neurology has explicitly recognized that such persons are not in danger of imminent death because of their condition, a matter well brought out by the Catholic Bishops of Pennsylvania in their carefully constructed statement, "Nutrition and Hydration: Moral Considerations."

With regard to Callahan's comparison of the lives of PVS patients with the lives of "fertilized eggs," I would simply note that once an egg has been fertilized it is no longer an egg but a new living being, and in the case of the human species, a new *human* being—surely a being of incomparably greater value than an "egg."

Callahan poses two questions for those who, like me, believe there is value in preserving the life of someone in a PVS state. The first is whether they would have wanted medical research to invent respirators and artificial feeding for the sole purpose of keeping PVS patients alive. To this I answer first that I do not think it morally obligatory to keep PVS patients alive by the means of respirators, for their use would, I believe, be unduly burdensome. I likewise do not think that I would have wanted medical research to invent artificial feeding for the *sole purpose* of keeping PVS patients alive, because it is quite evident that tubal means of providing food and nourishment are valuable for persons suffering from various sorts of disorders, and that they are also of value for PVS patients. Callahan also asks whether the belief that it is good for a person in the PVS state to be kept alive does not also imply that "further research should be carried out to make that even more possible, to keep those in that state alive longer and longer, even a full lifetime." To this I answer that the issue of "further research" raises a whole host of questions regarding allocation of our resources. It would be preferable, in my judgment, to allocate resources to the alleviation and prevention of many other disorders, to the prevention of persons from becoming injured to such an extent that they are in the PVS state, and to investigate avenues of helping improve the condition of PVS patients.

In conclusion, I believe that Eugene F. Diamond's comments in the *Linacre Quarterly* (February 1992), reflecting on the Pennsylvania Bishops' Statement, are pertinent. Dr. Diamond observed: "The focus of the debate [over providing PVS patients with food and hydration] should be kept where it belongs. It is not about the terminally ill patient who is imminently dying and who will die anyway whether or not food and drink are continued by whatever means. The issue relates to the patient who is not dying but rather is being provided food and drink by so-called 'artificial' means because of inability to feed himself. . . . For such a patient, tube feeding is *useful,* in that it sustains his life, and *is not excessively burdensome* because it can be provided at low cost and by unskilled personnel."

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Eric Cassell

Physicians are a pragmatic group devoted to action. In caring for the kinds of patients Daniel Callahan discusses they rarely say to themselves,

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"I'm going to save Smith's life," or, "I'm not going to let Jones die," even when they are doing just those things. Instead, the situation in front of them—Smith sick as spit or Jones dying—is converted by their thinking into a specific *medical* (technical) problem. Smith had a heart attack and is going into shock. Heart attacks present distinct problems calling for defined actions. Transfer to the Cardiac Care Unit. Start this or that medication. Attend to the monitors, alert to certain events that threaten. Possibly going into shock? Place a Swann-Ganz catheter to monitor pulmonary wedge pressure. Put in an A line to monitor the blood pressure. Consider aortic balloon counter pulsation. And so on. Each act in the here and now, concerned only with the present. Each act is an instrumental goal in itself that supports the saving of Smith's life. The larger goal is pushed aside, however, by technology and the medical science on which it is based, and multiple subsidiary goals are substituted. At the bedside, doctors are uncomfortable about philosophical issues because they get in the way of action.

The same is true of keeping Jones from dying even if Jones is a demented old lady who hasn't looked or acted like a responsive human being in months. There she lies, mouth open, eyes shut, contracted limbs and bedsores for all to see. Her blood culture showed bacteria so the doctor treats that infection. She is dehydrated so she gets fluids intravenously. She cannot eat. A feeding tube is inserted. Back in medical school, her doctor took a course in ethics and patients like Jones were discussed. Should they be kept alive? Is food or fluid like any other treatment? The doctor believed that it was inhumane to keep such people alive. Yet here he is, doing just what he didn't believe in. Afraid of the Chief of Medicine, the hospital counsel, and what the other house staff might say. For keeping Jones alive there are established procedures and guidelines for treatment. For allowing the patient to die no such guidelines yet exist. Hannah Arendt's banality of evil is forced to mind, but now banality just as thoughtlessly in the service of benevolence.

Why? Because all the technical issues involved in the cases—from the anatomical definition of coronary artery disease to the readout on the monitor for blood pressure—are abstractions from the lives of these patients. These serve wonderfully well as guides for the actions of physicians when patients can represent themselves. How about in the care of Jones, who hasn't been self-determining for ages? Here, medical abstractions are inadequate representations of the person who is Mrs. Jones.

What is meant by Smith's or Jones' life in this context? In fact, who is Smith in the CCU? Or Jones lying in her bed? Their doctors hardly know anything about them, not because they cannot, but because they are not trained to find out. Both patients are in the throes of illness, something from which no life is ever free. Over the centuries, but particularly in the last two hundred years, two reductive steps have moved medicine away from the complex social, psychological, and personal dimensions of illness. The first step was to substitute the modern idea of "disease" for the illness. The second step was the introduction of medical science and its purely biological view of disease. And the consequent technologies (X-ray, laboratory test, EKGs, etc.) that allow medicine to consider diseases at a distance from the patient.

These two strategies have led to the phenomenal advances of biomedicine and the conquest (nothing less) of many diseases. Alas, they have also fooled everyone (including doctors) into the wrongheaded notion that the fundamental personal problems of life and death—bonding, growing, developing, becoming, being, declining, leaving, and grieving—are also open to technological fixes. Of which euthanasia and legalized assisted suicide are just two examples. It is not medicine or science that is the enemy, but the continued abstraction from the real life of real humans of which they are both the parents and the children.

I believe that Daniel Callahan is incorrect in suggesting that physicians have coopted the principle of the sanctity of life. They share it with the rest of their culture. It is not only medicine that urges the continued treatment of patients like Jones or those in a persistent vegetative state. Nor doctors alone who do not want to remove feeding tubes and the like. I think he is also wrong in believing that the courts are longstanding champions of allowing the hopelessly ill a way out. There may even have been commentators in these pages who strongly argued—in the name of life's sanctity—the error of allowing someone to die by removing nutrition and hydration. What is the life that is sacred, the body's life, the person's life, Jones' life? In most discussions it is not life in the sense that you and I know or live it, but some abstraction as remote from Smith and Jones as the doctors' technological abstractions.

At the end of the nineteenth century it appeared as though Western culture was beginning to come to terms with human life as persons actually live it. In this century, however, the project has faltered. Instead, it has been reductionist and oversimplifying in its sciences (including social science), graphic arts, music, and philosophy. Little wonder that ethics as much as medicine is cursed by abstractions that separate them from the richness of human existence. Things are changing, though, and again the complexity of the real is forcing itself into cultural consciousness (evident not only in recent trends in medicine and ethics—witness Callahan—but the arts and philosophy as well). In examining the issues raised by Callahan, we must return to the hard reality of the cases and the phenomena involved. It is this sick

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person we should concern ourselves with, not some ghostly abstraction.

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Daniel Callahan replies

My commentators have raised important issues and advanced some potent objections. I appreciate that. Yet I was immediately struck by how little was actually said about the main issue on my mind, that of the power of technology to distort our thinking about matters of life and death. Eric Cassell, who has written in a penetrating way elsewhere on technology, only alludes to it here, while Caroline Whitbeck and M. Therese Lysaught are the only ones who really mention it directly at all. But Whitbeck thinks the only problem is with our "unrealistic expectations" of technology, while Lysaught believes the real problem is "the ideology behind technology."

I am reminded here of a common slogan of those who oppose any serious limits on the availability of hand guns: "It is not guns that kill, but people," as if the widespread availability of guns themselves had nothing to do with the high rate of death by guns. As happens in medicine as well, that kind of attitude underestimates the independent (if sometimes uncanny) power of technology to shape us, those who think we only shape it. The availability of medical technologies changes the way we think about their use and the way we think about the life and death that they can influence.

I would note in this respect two points of historical significance, one bearing on medical progress, the other on the way technological advances reshape our thinking. My first point is that just about all of the major debates of late on the care of the dying have been occasioned by the advent, and then routinized use of, a relatively new technology. It was not until the 1960s that there was any significant argument about turning off respirators or extending the life of low birthweight babies in neonatal ICU units (NICUS). Neither respirators nor NICUS were much used before that time. It was not until the early 1980s that the debate over artificial nutrition and hydration emerged, mainly because it was only in the 1970s that such a form of treatment came into widespread and routine use because of technological improvements.

I conclude that the great, and still unappreciated, problem is what to think and do about technological innovation—and particularly that form of innovation that does not cure but is able to keep a severely ill or damaged person alive but in terrible shape. We will see more and more of such nasty "progress" in the future. A difference between my critics and me is that they seem to assume that if a new technology comes along that can sustain life, the benefit of any doubt must be toward the use of that technology. In no case, moreover, ought we be allowed to take into account the kind of life, or the burden of life, that the new technology may create or allow to be sustained. By contrast, I am trying to work with the notion that we should be free not to use a new technology—to give it no benefit of the doubt at all—and in any case not use it if it promises us a worse burden of both treatment and life than was the case before it appeared.

Gilbert Meilaender, William E. May, and William B. Smith seem to think that since we can now technologically keep PVS patients going by technology, therefore we must do so, that some traditional moral principles compel us. If they are correct, then we should either reconsider those principles to make them more technology-resistant, or ask whether they really exact such obeisance to technological possibility. In any case, I want to find a better way to distance ourselves from the technological imperative; they seem to me in danger of being captured by it.

My second historical point turns on the way technological change leads us to redefine some basic concepts. May and Smith think that a person in a PVS state is "disabled," not "dying." Recollect, however, that when Karen Ann Quinlan's respirator was turned off in the mid-1970s there was every expectation she would die, and great surprise when she did not. Such patients were not then thought "physically robust" at all, to use Meilaender's phrase. Until that point in medical history, a person in a PVS state ordinarily died in a relatively short time: hence, to be a person in a PVS state was to be a dying person.

My surmise is that it was precisely the improved methods of artificial nutrition and hydration, plus other medical advances, that made it possible by the mid-1970s to keep Karen Ann Quinlan alive so long (ten years). Biological inevitability could be forestalled by medical ingenuity. Yet for just this historical reason, it is perfectly reasonable to refer *still* to people in PVS as biologically dying, not simply disabled. The fact that we can arrest, or suspend, the underlying fatal condition for a time, even a long time, does not change the underlying biological reality: a PVS patient has been captured by a fatal condition which, if we do not artificially stop it, will kill the patient. It is only technological prowess (and maybe some hubris) that has led us to redefine "dying": nature will not presume to tell us who is dying; we will leave that to our technology.

The importance of this mistake—letting technology redefine biological reality—is pertinent also for another problem in the responses to my article,

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that bearing on "uncertainty." Whitbeck, I think, falls perfectly into a familiar technological trap, arguing that because a worse death might not be predictable, a doctor is justified in going ahead with treatment. The difficulty here is that contemporary medical technologies are usually powerful enough to bring uncertainty to almost any medical decision. We might be able to say, in a general way, that a patient is dying, but it gets harder and harder to say that a given technological intervention will not buy us a little more time. It probably will, which is why it is common to observe that most patients now die as the result of a conscious decision to stop or not to start treatment; it can hardly be otherwise given the power of technology to extend almost any life to some extent. The result too often here is that uncertainty is dealt with by a technological bias: don't stop aggressive treatment until there is some definitive evidence it will do no further good. Technological progress renders such evidence increasingly elusive.

Now it is exactly that problem that sets us up for the suspicion that Meilaender has about the current practice of omission of treatment. "We may already," he writes, "be deliberately letting die people who aren't really dying." That may indeed be the case (even though I know of *no* direct evidence to support such a trend), but there may be a harder judgment to be made here than he allows. If we come to define as "not dying" a person whose process of dying technology can suspend for a time (redefining him as just disabled), then of course every time a physician allows a patient who might be given a few more hours or days to die, he will be open to the charge that he is just part of the "transitional stage" to euthanasia. That would not seem to me a fair or reasonable judgment.

Nor do I think it fair or reasonable to interpret what doctors customarily do when they terminate treatment of a patient whom their technology might continue to sustain as displaying an "intent . . . to bring about death" (which is, incidentally, what many euthanasia supporters also say). If a doctor wants a patient to die and terminates treatment with that as the specific purpose of the termination, that is wrong. But if, instead, a physician believes that the patient as a person no longer benefits from his efforts to suspend or arrest the dying process—either because of the burden of treatment or the burden of life—and then stands aside to allow death to take its inevitable course, no wrong has been committed. The intention is not to bring about death, but to allow the death that nature has built into our lives to take place. This is very different from saying that some "lives aren't worth preserving" (Meilaender) or that "their lives are of no benefit to them" (May). I do not hear doctors saying that, nor should they.

In this respect, however, it strikes me as neither clear nor helpful to draw a sharp distinction between a burden of treatment and a burden of life. A painless, superficially non-burdensome, treatment that allows a painful or unwanted medical condition to continue should be as much feared as a painful treatment; who knows, or could ever know, whether Meilaender's demented seventy-seven-year-old pulls at his feeding tube because the tube causes him discomfort or because the kind of life the tube is sustaining is not one he wants to live? Would Meilaender tie down his hands (a not uncommon practice) if he suspected the latter alone was the man's motive? I doubt it. But I say it does not matter anyway: whatever his reasons, the patient does not want the tube, and that should be respected.

Medicine becomes increasingly clever in devising non-burdensome technologies to prolong miserable lives that a kinder nature would have allowed to end more peaceably in an earlier era. That is exactly the kind of medical "progress" we should question, just as we should have questioned in the 1970s whether we really wanted to go down the road of improved ways of extending the life expectancy of those in a PVS state.

Smith is worried that "the list of patients deserving human care is shorter today." Maybe he lives around a different group of doctors and families and ethicists from those I do, but I know of no one who says that people should not have "human care," if by that is meant comfort, palliation, and non-abandonment. The only "shorter list" I see operating is one bearing on the use of medical technology, and a good thing that is.

As far as I can guess, just about everything that would be on Smith's longer list would be some technology that came into widespread use only within the past two to three decades. Those decades were a period of enormous technological development and aggressive, usually compulsive, application. Thus at first it was thought imperative always to keep respirators going, then to keep all technologies going at top speed in NICUS, and then to keep artificial nutrition and hydration going. The technological imperative was in the saddle, and to doubt its value was to be judged guilty of lacking both the secular virtue of loving progress and the religious value of the sanctity of life. That's what created Smith's longer list—but it was the creature of a particular, and limited, historical era. The error is to take the practices of that era as some timeless norm of respect for human life. It was more likely a bemusement with technology that was calling the moral shots.

We seem to have come out of that compulsive era, gradually returning to standards of an earlier time, when it was not always thought a terrible thing that nature brought life to an end, especially when it spared a person further suffering or a humanly empty prolongation of life. I can recall many religious people in that pretechnological era speaking

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of some deaths as a "blessing," even thanking God for bringing the suffering to an end. Was that wrong on their part? Should they instead now be thankful that the PVS loved one can be kept alive for years, and be full of pity for those earlier generations who were unaware of the benefits that medical technology could bring them? I'll take the shorter list myself, and I think the tradition would support my doing so.

To accept the shorter list does not, however, entail an embrace of euthanasia or physician-assisted suicide. There is a great gap between omitting treatment and directly killing. When we omit a treatment, we are doing what medicine has always done, and has always had to do. We do not by such actions change the historical institution of medicine. There is, to be sure, always the danger that we may omit treatment too early, or deliberately and wrongly aim to end a life by doing so. But that hazard has always been present, and the tradition has lavished great attention on where and how to draw the appropriate lines and proceed with the right intentions. Euthanasia utterly changes all that: it is we, not nature, who kill; and medicine becomes an institution that legitimates the taking as well as the saving of life.

A word on the "potential for development" notion, which so concerns Smith. I take it that we distinguish human beings from other species because of a characteristic range of capacities and potentialities that only humans possess. These include self-consciousness and the capacity for a wide range of emotions, reasoning skills, and interpersonal relationships. I simply fail to see what benefit any form of treatment can have for a person who has lost those capacities. The quadriplegic has those capacities and so do most of the severely demented, even if the latters' capacities are much diminished (and despite Meilaender's guess, I favor more treatment of the demented than he has guessed). The PVS patient is utterly different. By virtue of the loss of the cerebral cortex, the human capacities of PVS victims are permanently lost. It is hardly surprising that, before we invented effective tubes to nourish such beings, nature let them die quickly. It knew what it was doing. FT

April

One day without warning Spring arrives,
As predictable and unexpected as a death.
Birdsong and the smack of dripping water, car tires
Spitting on wet pavement sound strange and loud
In the soft air.
I am as empty as the trees and snowless land,
Stripped of winter's enfolding wrap.
Now robins tug at swollen worms,
Raw green shoots split the earth.
Nature has her way.
In December the ground was frozen
Hard as a bone. It took a backhoe to dig the hole.
As long as I left traces in the snow
You still were here.
What's dead is dead and I can live with that;
This rebirth's an intolerable affront.

Suzanne Jane

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It's the Culture, Stupid! 1992 and Our Political Future

Lyman A. Kellstedt, John C. Green, James L. Guth & Corwin E. Smidt

What really happened in the 1992 presidential election? And what does it tell us about American politics at the turn of the century? Although postmortems are always a tricky business, interpreting the 1992 election is particularly so. The defeat of an incumbent President, the election of the first "baby boomer" by a slim plurality, and the extraordinary campaign of an independent candidate are only the more obvious reasons for the special attention that 1992 is likely to be paid in the history books. But the question is, how will historians understand this election? They will certainly fail to do so adequately unless they offer proper recognition to the crucial influence of religious and cultural factors.

Most accounts of the 1992 election hinge on the economy. Bush lost, it is said, because the economy was sick and Republicans did not offer a plausible cure. As the sign in Clinton's campaign headquarters read: "It's the economy, stupid!" This interpretation of the election fits nicely with the conventional view of American politics, held by academics and journalists alike, that party coalitions and electoral outcomes are rooted in economic self-interest. Thus, the combination of voters' economic status, the performance of the economy—and governmental policies affecting both—serves as the primary motivation for the vote. From this perspective, disputes over abortion, gay rights, and other so-called "social issues" are, at most, temporary diversions from normal economic preoccupations. Some observers have even reinterpreted social issue and foreign policy controversies as expressions of economic distress, arguing, in effect, that the only real values in politics are material ones.

This conventional wisdom is not so much wrong as wrongly stated. While economic conditions clearly influence the vote, and often dramatically, the effects of such conditions are channeled through the cultural bedrock of the American party system. Most pundits and scholars do not realize that the basic "building blocs" of American party coalitions have always been cultural groups, whether in 1852, 1892, 1932, or 1992. And religious traditions, comprised of denominations and churches with shared values and worldviews, have always been among the most important of these. Year in and year out, the reaction to parties, candidates, and issues on the part of Evangelical, Mainline, and Black Protestants, Catholics, Jews, and Seculars is critical to understanding elections. The conventional wisdom, then, has it backwards: cultural affinities constitute the long-term basis of electoral alignments, introducing fundamental values into politics and structuring the debate over them, while economic forces generate temporary disruptions of these culturally defined alignments.

Thus while economic distress was critical to the electoral outcome in 1992, its effects are best understood within the cultural context of the vote. Religious traditions tied most closely to the Republican Party were less swayed by economic considerations than were their Democratic counterparts, and the least religiously observant voters in both traditions were the ones most influenced by economic woes. But of even greater significance, the conventional economic interpretation masks vital shifts in the cultural basis of party coalitions that were clearly visible in the election returns.

Simply put, the historic conflict between rival coalitions of religious traditions is being replaced by a new division between more-religious and less-religious people across traditions. This emerging alignment opens new fault lines in the cultural bedrock of party coalitions and rechannels the effects of short-term economic conditions as well. The beginnings of this new alignment were recognized in Robert Wuth-

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now's discovery of the "restructuring of American religion," in Richard John Neuhaus' complaint about the "naked public square," and in James Davison Hunter's warnings of "culture wars." These divisions appeared first among elites but are now poised to play a major role among the citizenry at large.

II

The notion that economics is the foundation of American partisan alignments has a rich pedigree, reaching back to the Federalist Papers, forward through Karl Marx and his followers, to modern, positivist social science. What is often forgotten is that assertions of economic primacy in public life often were—and still are—part of a distinctive political agenda. Consensus-oriented political leaders, advocates of economic modernization, and professional social scientists have all argued, in one way or another, that economic self-interest does—and should—matter most in politics. Political elites typically want to avoid the animosity associated with religious and cultural disputes, business leaders seek to promote the growth and stability of a modern industrial economy, and social scientists hope to construct objective, "value-free" theories of society. Although these goals may well be meritorious, the almost credal commitment to the primacy of economics has been intellectually costly, obscuring key elements of American politics.

Other perspectives have been available: a veritable host of historians—Paul Kleppner, Robert Swierenga, Richard Jensen, and Ronald Formisano, to name only a few—have demonstrated that American political parties have always been coalitions of "ethnocultural" or "ethnoreligious" groups rather than economic or class-based alliances. The Whigs, and later the Republicans, were the party of the culturally dominant Protestant churches. This coalition represented the cultural "haves" who sought to define the norms for the rest of the nation. In opposition, the Democrats represented the cultural "have-nots," minority religions like Catholics, Jews, "free thinkers," and some sectarian Protestants, such as Southern Baptists, who shared an interest in resisting majority impositions. And not surprisingly, individuals most committed to their churches and denominations participated most fully in these alliances. Of course, cultural and economic inequalities were often related, but because of the limited scope of both government and the economy, cultural differences usually prevailed. Although the exact composition of these partisan alliances varied by era, geography, and the salience of issues, the basic division between coalitions of competing religious traditions is still visible today.

These cultural alliances were necessitated by basic features of the American constitutional system. The First Amendment's establishment and free exercise provisions guaranteed two things: that there would be no state-sanctioned religion, and that there would be an extraordinary variety of churches, denominations, and cultural groups. But this same system also established single-member districts to elect the Congress and an Electoral College to choose the President, both of which fostered the familiar "two party system." The conjunction of the parties' goal to maximize votes and the desire of religious communities to voice their values made the aggregating of diverse groups into opposing coalitions both necessary and effective. Indeed, disputes between (and sometimes within) these cultural combines structured and restructured political debate, clothing the public square with a richly woven tapestry of values. Thus, American party politics has always involved "cultural wars," and the genius of our system has been its ability to contain these conflicts within civil and even productive bounds.

For most contemporary political scientists, however, the cultural basis for party coalitions, if recognized at all, ended with the New Deal, the historical backdrop for interpretations of contemporary politics. According to conventional wisdom, the New Deal era saw the elevation of economic issues to the center of the public agenda: the failures of laissez-faire economic policies were redressed by national programs intended to redistribute income, creating in their wake a powerful new class-based alignment that pitted the economic "have-nots" against the "haves."

Although not without considerable validity, this interpretation is much enriched by adding to the picture the profound cultural forces behind the New Deal. Long before the 1929 stock market crash, the dominant WASP social and political ethos was under intense pressure from rival cultures with roots in European Catholic and Jewish immigration and concentrated in burgeoning metropolitan areas. In many respects, the New Deal was less about income redistribution than about the recognition of "group rights" benefitting these cultural challengers, a recognition embedded in such policies as the fostering of labor unions, public works programs, and social insurance. Even the makeup of the resulting New Deal electoral coalition is most easily described in religious and cultural terms: an alliance of Catholic and Jewish ethnics, with help from Southern and Black Protestants, and a leavening of urban cosmopolitans.

The key point is this: in order to have political relevance, economic conditions must be *interpreted*. Religion and culture supply a powerful framework for such interpretation, providing both the larger worldview and the more specific values by which voters may understand the contemporary world. Since religion and culture are deeply embedded in the way people are raised and in the communi-

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ties in which they live, this framework remains quite stable, changing only gradually even in the fast-paced modern world. But by the same token, the nationalization—and globalization—of markets means that changes in economic conditions nowadays affect all religious and cultural groups simultaneously. Thus it is cultural alignments that provide the foundation of electoral politics, setting the context for the impact of more immediate economic concerns.

Unfortunately, most political scientists and many survey researchers have missed this pattern, either because they tend to ignore history or because they do not understand religion. As a result, little intellectual capital has been invested in the arduous task of understanding America's bewildering array of religious and cultural groups. This neglect has been particularly costly for understanding the variegated electoral faces of Protestantism: even today, most polls use the term "Protestant" as if it were a meaningful category.

Gradually, however, the realities of cultural politics are becoming evident even to secular academics, and some political scientists have developed survey items that distinguish among religious traditions as well as levels of religious commitment (the latter measured by church attendance, devotional practices, and the like).

To oversimplify a complex picture, these new approaches reveal three politically relevant groups among Protestants: the Mainline, Evangelical, and Black Protestant traditions. Combined with more accurate identification of Catholics, Jews, and Seculars (or religiously uncommitted), as well as other smaller traditions, these categories allow analysts to identify both the continuity of historic religious coalitions and the transformations currently underway. The picture is enhanced even more by taking into account levels of religious commitment. In the past, the religiously committed in each tradition were at the forefront of the rival coalitions. In an important contemporary transformation, coalitions increasingly pit the religiously committed within each tradition against those with little or no commitment.

III

Despite the importance of economic conditions in 1992, then, religious and cultural alignments were very much in evidence in voting patterns. These alignments, in turn, are best understood in terms of a major cultural shift underway for more than a generation, but by no means complete. Since the New Deal a series of slow, but steady, changes has brought the cultural hegemony of Mainline Protestantism to an end, and with it the predominant set of values associated with the old term, "Protestant." These cultural changes are too familiar to require elaboration here: rapid upward mobility, the expansion of higher education, the growth and development of the mass media, the end of legal segregation, and alterations in women's roles. We can illustrate the political implications of this cultural shift by examining the transitions in voting patterns of the major religious traditions between 1960 and 1992.

Mainline Protestants were traditionally the backbone of the Republican coalition. Their large numbers (approximately two-fifths of the population in 1960), their relatively high levels of religious commitment and political activity, and their conservative opinions on most issues all combined to produce formidable support for the GOP up and down the ticket. In the 1960 presidential election, for example, 69 percent of Mainliners voted Republican. By 1992, however, the situation had changed dramatically. Sharp declines in relative numbers (to about one-fifth of the population), even sharper reduction in religious commitment, and deep divisions on social issues sapped the Mainline's political strength and undermined its dominant position in the Republican Party. George Bush received only 39 percent of Mainline votes in the three-way race (or 50 percent of the two-party vote). Only their customarily high turnout and overrepresentation among GOP elites kept Mainliners from becoming distinctly junior partners in the Republican coalition. Interestingly enough, social issues such as abortion and gay rights were not central to Mainline defections from Bush in 1992. Rather, most defectors exhibited low levels of religious commitment and were dramatically influenced by short-term economic factors. Even so, few Mainline voters defected to Clinton, preferring the more culturally congenial Ross Perot.

If, over the past twenty years, the GOP had to rely primarily on Mainline Protestants, the party would have suffered electoral disasters far greater than that in 1992. But the Republicans benefitted greatly from changes within another religious tradition, as Evangelical Protestants simultaneously moved away from Democratic partisanship and toward both greater political involvement and Republican partisanship. Beginning with their reaction to the Catholic John F. Kennedy's presence on the Democratic ticket in 1960 (when 60 percent voted Republican), Evangelicals steadily moved away from preference for Democratic candidates, a movement interrupted only temporarily by the candidacies of Southerners Lyndon Johnson and Jimmy Carter, the latter a fellow Evangelical. By 1992, Evangelicals were George Bush's best supporters, giving him 56 percent of their votes in the three-way race (and 67 percent of the two-party vote); and to a greater extent than ever before they backed Republican candidates all the way down the ticket. This shift was amplified by the Evangelicals' steady religious market share since 1960 (about one-quarter of the population) and consistent conservatism on social and foreign policy issues—a conservatism that gave evidence of expanding to include traditional Republican economic

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issues. And their voting turnout increased somewhat since 1960, although still lagging a bit behind their Mainline cousins in 1992.

Thus a combination of factors has united white Protestants in the same coalition, with the former senior partner becoming a junior one in terms of total vote support for the GOP. Like all such coalitions, this new alignment is fraught with internal tensions, particularly over social issues. How these tensions will be resolved is a matter of conjecture, but in 1992 the new partners and their social issue conservatism helped George Bush far more than they hurt him. Not only did religious conservatives provide Bush with a lion's share of his votes, but they also expressed more positive views of the economy, largely interpreting the recession through the lens of their cultural allegiance. Given this situation, it is not surprising that few Evangelicals voted for Perot, and that those few who did showed lower levels of religious commitment.

In 1960, the Kennedy campaign achieved a record Democratic vote (82 percent) from Roman Catholics. The large size of this constituency (one-fifth of the adult population), their high levels of religious commitment and turnout, and strongly liberal opinions on the issues of the day all combined to make Catholics a formidable Democratic voting bloc. Between 1960 and 1992, Catholics increased in relative numbers (to almost one-quarter of the population), but experienced a decline in religious commitment that paralleled the Protestant Mainline. Following which, as in the Mainline, serious rifts opened among Catholics on social and economic issues. The result was increased Catholic defection to the GOP, but by two very different groups: traditionalists motivated by social and foreign policy issues, and the less religiously observant enticed by Reagan's promises of prosperity. In 1992, many of the fair-weather Catholic "economic Republicans" returned to the Democratic fold, giving Bill Clinton 45 percent of the Catholic vote in the three-way race (59 percent of the two-party vote). But just as religiously committed Evangelical and Mainline Protestants were much more likely to vote Republican than their nominally religious brethren, regularly attending white Catholics gave Bush a narrow plurality over Clinton (41 percent to 39 percent), while less-observant Catholics gave Clinton a bigger margin (44 percent to 33 percent). Again, as with the Protestants, Catholic Perot voters were drawn from the least religiously observant.

The electoral contributions of two smaller religious traditions, Jews and Black Protestants, should be noted as well. Jews are both culturally and economically liberal, and have been solidly Democratic since long before 1960. As for the Black Protestants, prior to 1964 they included a significant Republican minority, but since then have been overwhelmingly Democratic. Both groups were crucial elements of Clinton's coalition in 1992; and although there are religious conservatives in both traditions, the GOP has made only marginal inroads among them so far.

Almost unnoticed has been the growth and political relevance of the Secular segment of the population. Given the sporadic attention given to religion by survey researchers, it has been difficult to track the expansion of this group with certainty. The best estimates suggest that Seculars constituted less than one-tenth of the population in 1960, but had expanded to at least one-fifth by 1992. Although many observers see this growth only as evidence of the increasing irrelevance of religion, the nonreligious represent an important cultural group, as liberal on social issues as the most committed religious people are conservative. Seculars tend to vote Democratic at all levels, with 54 percent supporting Kennedy in 1960, but there have been exceptions to this pattern; in 1980, 68 percent voted for Ronald Reagan on the basis of short-term economic considerations. In 1992, however, Seculars moved dramatically back into the Democratic column, with 55 percent supporting Clinton in a three-way race (73 percent of the two-party vote). While Seculars constitute a partial replacement for the departed Evangelicals in the Democratic coalition, their impact has been lessened by their low rates of turnout.

In sum, then, 1992 voting patterns reveal historic cultural alignments, albeit reshuffled by the cultural changes of the last generation, and modified by the short-term effects of a weak economy. Bush attracted a coalition of Evangelical and Mainline Protestants, joined by some strongly religious Catholics, while Clinton won with a coalition of less religiously adherent Catholics, most Blacks, Jews, and Seculars, and with a smattering of Protestants. Perot picked up the votes of the economically disaffected with low religious commitments.

These patterns show the limitations of defining electoral alignments largely in terms of short-term economic factors. Evangelical and high-commitment Mainline Protestants were generally less affluent and hence most affected by the recession, and yet they stood most firmly behind Bush. Meanwhile, Jewish and Secular voters were generally more affluent and least burdened by hard times, yet they were among the strongest supporters of Bill Clinton. Economic conditions had their largest effect among Perot's supporters, who were the most disconnected from social and political life—a fact reflected in their intense disgust with government and politics. Beyond demonstrating the power of culture in electoral alignments, however, 1992 reveals the effects of a generation of cultural polarization, and the emergence of a new kind of electoral alignment.

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IV

The new cultural politics in 1992 differs from past alignments in kind rather than degree. The historic conflict between coalitions of rival religious traditions is being replaced by a new division between more-religious and less-religious people across those traditions. Our analysis suggests that one of the emerging coalitions will be united by belief in God, an understanding that such belief has implications for public life, and a preference for religious language in political discourse. The opposite coalition will be united by nontheistic or at least nonorthodox beliefs, the policy implications of such beliefs, and hostility to religious language in political debate. If this analysis is correct, Evangelicals and committed members of other religious traditions could find themselves united in the Republican Party facing Seculars and less committed members in other traditions among the Democrats.

From this perspective, contemporary social issue disputes, such as that over abortion, are not temporary aberrations, but rather the stuff of future politics, where an agenda of "traditional values" confronts an agenda of "personal liberation" or what Ronald Inglehart has called, somewhat misleadingly, "postmaterial" values. Such disputes include a host of related issues, such as women's rights, birth control, sex education, gay rights, and regulation of pornography, and with only a little difficulty could be expanded to broader topics such as family policy, health insurance, public school curricula, employment practices, and funding for the arts. More important, such political agendas might eventually incorporate economic questions like taxes, business regulation, and free trade. Finally, voters tied firmly to either coalition would then interpret changing economic conditions in light of these prior, cultural, allegiances.

This kind of alignment is new to the United States, but divisions of this sort have been common in European democracies for centuries. While it is unclear how quickly such an alignment will solidify, it will introduce a new set of values into public life and restructure the debate about them, supplementing, if not replacing, older cultural alignments. If the resulting structure seems complex, we should remember Walter Dean Burnham's observation that each succeeding realignment of American voting habits leaves behind a residue never entirely absorbed into the "new" structure of political debate.

Indeed, one must resist the temptation to think of this emerging alignment in terms of the conventional liberal-conservative continuum. The "religious" coalition, for example, might break the mold on welfare policy by combining generosity with curbs on anti-social behavior, or the "secular" alliance could redefine a family policy to balance the concerns of adults with the needs of children. In fact, such departures from present thinking are quite likely because these new coalitions will require significant adjustments among participating religious traditions. For instance, more orthodox Evangelical and Mainline Protestants will have to learn to cooperate among themselves, as well as with traditionalist Catholics and Jews, and with other religious conservatives, such as Mormons. Likewise, less orthodox religionists and Seculars will need to develop a firm moral and ethical basis for their politics. Both sides will need to define themselves in positive terms rather than only in opposition to the real or imagined excesses of the other.

What the new alignment is sure to bring, however, is an end to the historic dominance of large, pluralistic denominations, such as the United Methodist and Roman Catholic churches, which have presumed to speak broadly for societal values. Once the linchpins of the traditional party coalitions, these bodies will increasingly come under pressure from both the religious right and the secular left. As a result, their ability to maintain a distinctive voice in public debate, let alone a consensual one, will be extremely difficult.

Which side of this new alignment will prevail? At this juncture it is unclear who are the cultural "haves" and who are the "have-nots." This situation can be illustrated by the new core constituencies of the GOP and the Democrats, Evangelicals and Seculars, respectively. Both groups like to claim that they are "disadvantaged" in the public square and victims of "cultural aggression," but neither is lacking in resources for offense or defense. The vast institutional empire of Evangelicals, ranging from thousands of local churches to publishing houses, colleges, and mass media outlets, is quite impressive. But Seculars are linked closely to the nation's educational, journalistic, and scientific establishments to an equally impressive extent. Will the negative consequences of secularization bring the religious alliance more recruits? Will the continued advance of modernity give the nonreligious coalition better weaponry? Or will an even division of power obtain? While any final judgment is premature, the strong connections of the religious alliance to the grassroots suggest that the religious coalition may have an advantage in the immediate future, but that secularizing forces may gain the upper hand in the longer run.

Some observers find the emergence of this new alignment troubling because it generates unfamiliar kinds of conflict, but in a democracy conflict is often a prelude to consensus. Although there is no guarantee that cultural disputes can be kept within reasonable bounds, suppressing disagreement will not maintain the peace. Some disagreements are resolvable only by agreements to disagree or acceptance of the provisional nature of victories and defeats. After all, unhappiness with social and political outcomes is not disastrous if the losing positions were based on

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principle and if the political system provided a fair hearing for all sides. The view that a good politics requires a detailed, preexisting consensus on values is as unwarranted as the notion that economics alone drives politics. In fact, the present restructuring of electoral alignments is a potent means of bringing neglected values to the fore and organizing the debate about them.

A cultural perspective on the 1992 election, then, suggests three conclusions. First, the conventional wisdom on the role of economic factors in elections is overstated; even in a year when such short-term factors were particularly strong, they operated within the context of long-term cultural alignments. Second, the basic building blocs of party coalitions are cultural groups, chief among them religious traditions, and continuity and change among these blocs is of lasting importance. Finally, a new cultural underpinning to party alignments emerged in 1992, pitting coalitions of more- and less-religious people against one another.

These conclusions suggest that the "public square" has never been—and can never be—denuded of values, despite the best efforts of some groups to promote the historically false argument that American society is based on a strict separation of faith and public life. The answer to the "naked public square," George Weigel reminds us, is to reconstruct civil society on the basis of common values. Cultural disputes have always been—and always will be—integral parts of American elections, but, as Stephen Carter argues, an enhanced appreciation of religion is an effective antidote to cultural "warfare." In any case, it is clear that contemporary observers and future historians alike ignore religious and cultural factors at their peril. FT

Mark's Short Ending

We cannot carry that angel's stiff clarion:
"Go and tell Peter!"
We will go straight to the bedside and clutch woolen
blankets without boiling tea.

Peter's a ruddy wild bull of the vale.
His beard is a tangle of briars, a fire ball.
His eyes are the embers that pop in the hot part,
frightening children like cat-o-nine tails.
His head is a mat of curled thick ram's wool,
rolled in red clay dust down the hillside.

Go and tell Peter!
What should we tell
of the mouth of the lion?
Wet were the teeth?
Smooth was the tongue?

What should we say
of the point of Rome's
sharp spear?
The tip was as nothing?
A vanishing edge?

What should we tell him?
We tasted wild honey?
The bee brought it out
in a polished gold bowl?

Angels can play these notes.
Let angels sound them.

Jeffrey L. Johnson

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Abortion Facts and Feelings

Hadley Arkes

The story is told of a young student from an exotic place, a colonial dependency of Britain, who was suddenly delivered to Oxford University. The word soon got about that the tradition of cannibalism had not been perfectly extinguished in this young man's tribe, and a certain concern was registered, particularly among his potential roommates. But the assurance was quickly tendered: the young man had a powerful aversion to Anglicans, and as a point of principle he never ate meat while travelling abroad. As the story is played out, the community was grateful to receive this assurance, and it felt no apprehension about the outcome of his stay. Still, the people in the neighborhood were hardly cheered about the principle from which his judgment had sprung.

In the same way, many of my friends will be grateful to mark the step taken by *Commentary* magazine, in its issue of January 1994, with the publication of James Q. Wilson's article, "On Abortion." For the first time, the editors of *Commentary* have published a piece that would explicitly challenge the moral rightness of abortion on demand, and the unmodulated license for abortion that was created in *Roe v. Wade*. It is not the first time that the editors have intimated moral qualms about abortion. But the editors of *Commentary* have proceeded over the years with a delicacy that no doubt reflects their own perplexity over the substance of the issue, as well as the demands of prudence. After all, over the years *Commentary* has found the base of its support, and much of its readership, in the Jewish community; and in that community—as I record here with some melancholy for my coreligionists—the support for abortion has achieved a level that probably now exceeds the support for any tenet, or commitment, in Jewish law. With a constituency of this kind, it is hardly remarkable that *Commentary* has not been a principal organ of the pro-life movement. Indeed, what may be considered remarkable is that *Commentary* should for some time now have been such a persisting source of articles, thoughtful and circumspect, that at different points would challenge the moral premises and the empirical assumptions that attend the movement for "abortion rights."

But even against the background of that record, the publication of Wilson's piece represents a notable step. With many hedges, and with labored indirection, Wilson nevertheless manages to put the decisive question: "Should the law recognize [the point at which most people think that an embryo turns into a 'baby'] and ban abortions after that period?" His answer is muffled with tentativeness, and open to layers of qualification and exceptions, and yet that answer, finally rendered, is "I believe that [the law] should" impose these restrictions. When would those restrictions come into play? Somewhere between the eighth and the tenth week of pregnancy. Wilson thinks the moral sensitivities of the public would be engaged more readily at that point, because the moral reflexes will be allied now with the clear evidence of the senses. Through the benefits of ultrasound, people can see the being in the womb, and by eight or ten weeks even people clouded in their perception will recognize that figure in the womb as a baby.

Of course, those who have heard something about the advances in embryology over the last two hundred years will know that we have some astoundingly precise information about the nascent being and its human attributes even before it lands at the uterine wall. In all strictness, we do not need to see the child sucking its thumb in the womb before we know that we have an offspring of Homo sapiens. But Wilson's "moral" argument is grounded radically in the "natural sentiments." By that he means the per-

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ceptions available to our common sense—though not "common sense" as it was understood by writers in an earlier age, as the evidence of the senses, corrected and improved by the principles of understanding, or the canons of reasoning, that are also a part of our "natural" wit. Wilson appeals, rather, to a notion of "sentiments" that are pre-rational or pre-articulate. When that understanding is applied to the matter of abortion, it leads him to the familiar maxim that "people treat as human that which appears to be human; people treat as quasi-human that which appears quasi-human." In this reckoning, "perception" is all. Whether the child in the womb is regarded as a human child depends entirely on whether the pregnant woman, or the community gathered around her, "sees" that being as a child. The question of what that being *is*—what it is objectively, or what tenable grounds we have for claiming that it is anything less than human—is a question that must be placed out of view and separated from the judgment on abortion.

It is only on this ground that Wilson could write, in his piece, things he could not literally mean, and which should not have escaped his word processor: "I am not convinced," he writes, "that there is such a thing as the 'moment of conception.'" Or: "In the fifth week [of pregnancy], a creature is visible, but one that is not materially different from a mouse or pig." Between a wooden crucifix and a wooden Star of David there is no "material" difference. But in its genetic composition, in the complexity of its tissues, there is a vast *material* difference between a mouse and a human. An embryo may resemble, at different stages, a tadpole or a mouse, but the question of what it looks like is radically different from what it *is*. Wilson's argument depends on an appeal to the "looks" of the fetus, and so his move to thicken the moral tension involves a scheme to engulf the pregnant woman with an array of photographs—"266 photographs in all, one for each day of embryonic or fetal development." A woman who is considering an abortion might be told, "You are X weeks pregnant, as near as we can tell. The embryo now looks about like this (pointing). In another week it will look like this (pointing). You should know this before you make a final decision."

Wilson knows, as well as anyone else, what the effect of such a procedure would be. That is precisely why the pro-choice groups, and their allies among the judges, have resisted even the mildest versions of this arrangement. But as Wilson recognizes, a procedure of this kind would not challenge the authority that is accorded to a woman now in the law to reach her own judgment on abortion. Still, the partisans of abortion will not brook the slightest gesture toward "informed consent." Apparently, anything that brakes the movement toward the surgery, anything that induces a pause for reflection, offers the occasion for raising unsettling moral questions about abortion. As Wilson must surely know, his proposal, modest as it is, would not stand a chance of acceptance in the courts. It would be described by the judges as tendentious and provocative: its purpose (as the argument would run) is not to inform, but to discourage, to lead people away from the choice of abortion. And in this reflex, the partisans of abortion keep revealing that their concern is not really with "choice." Far more important for them is the need to resist any arrangement in the law that implies an adverse judgment on abortion, or questions its moral rightness.

But if this part of Wilson's scheme is politically unattainable at the moment, it should be even clearer that his proposal for restricting abortions, after eight or ten weeks, has not the faintest chance of acceptance by the courts, or by the groups that now defend the right to an abortion. For them, there is nothing moderate or even minimally acceptable in what he has to offer. On the other hand, there is not the slightest doubt that the pro-life groups would be doing handstands, or setting off celebrations, if Wilson's plan could be incorporated tomorrow in the law. That irony seems to pass Wilson by, and that want of recognition may be a key to the flaws that go unseen by him in his own argument.

For Wilson offers his essay in the voice of the affable citizen, guided by common sense, and free from the zeal, or the rigid principles, that define the partisans on either side of this issue. And yet it seems to have passed his notice that the pro-life groups have shown a willingness over the years to accept accommodations far more modest than the proposals put forth by Wilson. In 1989, in the celebrated case of *Webster v. Reproductive Health Services*, the Supreme Court seemed to take the first step toward returning the issue of abortion to the domain of legislatures. I myself suggested at the time that the pro-life groups could be quite disarming, and establish some critical points of beginning, if they merely proposed measures as modest as these: (a) that there be no abortion without a pregnancy test, and (b) that we seek simply to preserve the life of the child who *survives* the abortion. From that modest beginning, we might go on to restrict abortions after the point of "viability," or we could ban those abortions ordered up simply because the child happens to be a female. We could move in this way, in a train of moderate steps, each one commanding a consensus in the public, and each one tending, intelligibly, to the ultimate end, which is to protect the child from its earliest moments.

The problem with Wilson's proposal, then, is not that it is too moderate or accommodating. The pro-life movement would readily offer measures even more modest, but with this difference: as modest as they may be, these measures would all be aimed at establishing points of principle that would be critical

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in preparing the legal ground for a defense of unborn children.

We may take as examples those two seemingly modest points I offered as first steps. Consider the pregnancy test. The courts are persistently striking down measures to protect nascent life at early stages by insisting that it is not legitimate to "legislate any particular theory" of when human life begins. But of course a pregnancy test merely renders operational a certain understanding about the beginning of human life. As a surgical procedure, an abortion is hardly more relevant than a tonsillectomy in the absence of a pregnancy test. No one says, in the face of a pregnancy test, that we ought to see whether the process of growth, now begun, actually continues. Nor does one say, let us see whether this process of growth culminates in an orange or a pigeon. An "unwanted pregnancy" would not seem to pose such a weighty problem if it promised merely to deliver, at the end, an unwanted pigeon. In sum, no one shows the least doubt that something self-sustaining has been put into motion, and there is no mystery about the species of the being in the womb. The pregnancy test is the very predicate that makes abortion an intelligible choice. And yet, a pregnancy test would stand as an unambiguous marker for the "beginning of human life." A law that prescribed a pregnancy test would have the value of dislodging the premise that there is something irreducibly subjective about the beginning of human life. And perhaps even more tellingly, it would prevent even sober commentators like James Q. Wilson from declaiming in public that "I am not convinced that there is such a thing as the 'moment of conception.' "

The second modest proposal was to save the life of the child who *survived* the abortion. And the point of that proposal was to break out to the public news that most of the public would find jolting: namely, that abortions can be performed now through the entire length of the pregnancy; and if a child happens to survive the abortion, there is no obligation to preserve the life of that child. Judge Clement Haynesworth once explained that a child who had survived outside the womb for twenty days was not "viable" because his mother did not want him. A law that begins with the protection of this child would begin at a point at which even Kate Michelman could not deny that a human being is present. And the purpose of that exceedingly modest step would be to establish this simple, but momentous, point: that the claim of the child to the protection of the law would not hinge on the question of whether anyone happens to *want* him.

Wilson's proposals, crafted with the object of moderation, are actually far more extravagant than these modest proposals, and yet they would help to establish none of these points in principle. In fact, the difficulty, at the root, with Wilson's proposals is that they supply no moral ground at all, no ground on which they can finally be explained or justified. It is not merely that his proposal would fail to persuade the groups that regard abortion now as a constitutional right. More than that, he would not even be left with a ground of objection when they reject his moderate scheme, as they plainly will reject it.

If the matter of abortion is to turn entirely on perceptions—if there is no independent standard of judgment that could be set against our "feelings" about the fetus—then there is no reason for the partisans of abortion to regard the "sentiments" of the community as any more plausible or compelling than their own. The redoubtable Immanuel Kant once warned that even if we were unanimous in our feelings on any subject, that unanimity of sentiment would still not provide the ground of a moral judgment. If the whole country suddenly found itself concurring in a preference for frozen yogurt, nothing in that unanimity of feeling would provide a ground for making the yogurt *compulsory*. If 99 percent of the public achieved a "consensus," as Wilson puts it, in the perception that life begins at seven to nine weeks in the womb, nothing in that consensus would provide a ground on which to impose that judgment on the woman who looks at the ultrasound and reports that she, at least, "sees" nothing she regards as human.

In shaping his argument, Wilson has drawn on the analogy to the treatment of black people, and so it is curious that he has not seen, in that same problem, the eery reflection of his argument. For after all, there were some accomplished men of letters in the middle of the nineteenth century who did not see black people as fully human. Blacks were often seen, rather, on the scale of evolution somewhere between orangutans and real human beings. If cultivated people were to be guided by the evidence of their senses, how could they look upon the slave, or the man newly freed from slavery, and see "a person like themselves"? Surely not that dark creature, with mangled syntax, giving a laughable imitation of a human being. He might be a "quasi-human," but by any reckoning of common sense, he did not resemble the blond, well-tailored man who conjugates verbs and knows just which forks to use at dinner.

Imagine, then, that we pass the Fourteenth Amendment and offer protection to black people from the lawless assault on their lives. But suppose that we were still affected by a certain perplexity about the "human standing" of blacks. Would we have used Wilson's procedure? Would we leave the matter to the legislatures in the separate states? Would we encourage them to consult the "consensus" in their communities about the points at which black people come to resemble "people like themselves" and turn into humans? Would it be a matter then of "appearance"—perhaps posture, or grooming, or speaking grammatical English? If all this sounds

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comical to us today, it must be because we have somehow absorbed the recognition that this species of question cannot be addressed in this style. To classify beings in gradations of "humanness" is not merely to engage in a project of "description." It is part of a scheme, rather, to remove whole classes of beings from the protections that are accorded to human life. And when we understand that something morally portentous is at stake, we somehow recognize that we are not going to consign people to their deaths on the basis of attributes that are wholly wanting in moral significance. People with slovenly manners and poor posture may repel our company, but we would not treat these deficits as flaws that warrant their death.

But of course that is precisely the argument that has been made by many writers in the pro-life cause about the fallacy of arguing about the gradations of human life. The child at five years of age is not more "human" than he was as an infant because he is taller, or because he deploys a larger vocabulary. But then neither was he less human in his first month outside the womb—or in the month before, inside the womb. He would no doubt experience many notable changes in his progress from Little League to the university, but those changes will not be genetic. Genetically, he will have no attributes in his forties that he did not have in his first moments. He might not have been exactly alluring as a zygote, but Wilson would not suggest that somewhere between the seventh and the ninth week he underwent a change of species.

And yet, in the most curious manner—with a confounding altogether rare for him—Wilson treats the vagaries of opinions about the fetus as though they marked some genuine doubts about the ontological standing of that being in the womb. But here we are simply reminded that it is ever the function of our understanding to correct the impressions of our senses. In that famous experiment of Piaget, the small children suffer no problem in perceiving the collection of beads poured from a low, broad container into a tall, narrow cylinder. And it seems clear to them, from the evidence of their senses, that the taller container must contain more beads. There is nothing wrong with their *perception*. But they will come to see the event more accurately when they simply grasp, as a rule of thought, the "law of identity": that the quantity of beads remains the same even though it undergoes a change of place. The child perhaps comes to grasp that point when he understands that he is, today, the same person he was yesterday. In the same way, it was recognized in the past that Socrates sitting was the same as Socrates standing, and that Wendy Himmelstein, receiving her B.A., is no one other than the same Wendy Himmelstein who first became noticed *in utero*.

The philosophers of "common sense" appreciated long ago that people of ordinary wit have no trouble understanding these things. The American public, we know, has suffered moments of high bewilderment over the issue of abortion, and the surveys often show a jarring discord between the perceptions of the public and its judgments. And yet, the surveys of opinion also reveal that the public has not turned into a collection of relativists or skeptics in epistemology. When people are asked just when they think human life begins, the most frequent response is not seven to nine weeks, or "the first trimester," but "conception." More women than men tend to give that answer, and it should be clear in either case that the response could not be governed by "perceptions." Most people have not "seen" a zygote.

Of course, none of this means that the public has been particularly logical in drawing out the moral conclusions that arise from these recognitions. Yet, in some instances, most people have been remarkably faithful to reason in responding to these judgments—to the evident surprise and regret of many commentators. And so Mr. Roger Rosenblatt in his book *Life Itself* did not quite know what to make of the fact that, in one survey, 56 percent of the respondents refused to sanction abortion, *at any stage of the pregnancy*, merely because the baby was likely to be born blind (and therefore "defective"). And 53 percent would not consider an abortion if the baby would be missing an arm or a leg. But even where Wilson is willing to restrict abortions, he would make a broad allowance, and permit abortions, for "grave and special cases (such as severe deformity)." He would permit these abortions, that is, even when there is no question about the human standing of the child. But if we credit these surveys, most people seem to show a competence in moral reasoning that runs well beyond the limits that Wilson attributes to them. For the public has apparently grasped something that Wilson himself has not yet acknowledged: namely, that once we are clear that disabilities such as blindness or lameness cannot justify the killing of an innocent being, the age of that being is a matter of moral irrelevance.

I remarked on the curiosity that Wilson had backed himself into a posture altogether rare for him. What has been bracing and illuminating in his writings over the years has been a sense of "moral realism": in his studies of urban politics and crime, he has described a world layered with moral discriminations. He has written with an uncommon candor about the codes of selfishness or rapacity in certain ethnic groups, and even about the moral depravity that corrodes civic life. He has written, in this vein, sentences that would not appear in other books. And in this style he has given us to understand that we must put aside the conventional pieties, or the polite clichés, if we are to see the world as it is. With the political turn in the universities in the 1960s, that teaching became even more urgent. Wilson quipped on

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one occasion that he was trained, at the University of Chicago, to do "value-free" social science, and then he was encouraged at Harvard to profess a study of politics that was "fact-free." Throughout his career, then, he would stand against the new yahoos serving up an arty form of relativism to cover up the defects in their arguments.

But now, when he turns to the subject of abortion, he turns to a field that has been highly cultivated by the advances in embryology and genetics. And here, in the face of facts of remarkable precision, he takes the conflict of opinions, many of them quite feckless, as though they marked a real haziness about the facts themselves. Yet, with the recent developments in "molecular genetic fingerprinting," those "facts" have reached a level of confirmation that should be reckoned, in any sober judgment, as quite staggering. In two recent cases of rape, DNA fragments were used in gauging just who the man was who impregnated the woman. In one case, paternity was established with a certainty of 68 trillion to one, and in the other, at a certainty of 360 trillion to one. In our reigning fables now, we cannot profess to know whether the being in the womb is human, but we can know, at a level of 360 trillion to one, just who the father is. In the steady course of his writings, James Q. Wilson has enjoined us to summon the courage to look plainly at the facts. But never was he able to claim confidence levels of one in 360 trillion for any of those "facts" for which he summoned our respect. Why now, with facts of this kind, and with these moral stakes—why now, this late in the seasons of his experience—does he suffer epistemic doubts, and show a willingness to credit the appeals of relativism?

None of this is to say that Wilson's argument is destined to be politically bootless. For all we know, he may touch a chord with the public and recruit the sentiments of people who have been unmoved by other kinds of appeals. If the laws were altered now to accord with his formulas, we could only rejoice. But my own reckoning is that his arguments will not move the people who are firmly committed to abortion as a fundamental constitutional right. And if his arguments were absorbed now by people on the pro-life side, the implications might be fearful.

For one thing, those who incorporate the premises behind Wilson's scheme will not be able to give a moral account of what they are doing. They will not be able to explain just why unborn children must claim our respect as human lives, even against the powerful wish of their mothers to destroy them. Wilson's proposal would not alter, then, in any way, the standards that are brought to bear on the "choice" of abortion. He would install even more firmly the premise that there are not "facts" concerning the child in the womb that we are obliged to respect as facts. The decision on abortion would remain, as it is, in the hands of the pregnant woman, who need consult no standard other than her own feelings. Those feelings could not be judged for their rightness or wrongness, and no more could one judge the motives that spring from those feelings. Therefore, she would be left with the franchise to destroy the child for no reason that need rise above her own convenience. Wilson's proposal does nothing to dislodge these premises. And it provides, finally, no ground of objection, or even complaint, when the partisans of abortion refuse to abandon any of these premises, so comforting to their cause, so serviceable to their interests.

For Wilson, his essay was a noteworthy step. But from within the circle of his friends I would enter the plea that he earnestly consider a moral ground of his argument more consistent with his ends and the reach of his sympathies. Wanting in that argument, he would run the risk of offering us a remedy quite as portentous as the evil he would seek to relieve. FT

(James Q. Wilson will respond to Hadley Arkes in our next issue.)

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God and Man at Yale (1880)

George M. Marsden

On May 27, 1880, Yale's aging president, Noah Porter, spoke at Wellesley College on "The Christian College," a subject then being much debated. The setting tells us much about the era and the topic. Wellesley, a women's college, had been recently founded by Henry and Pauline Durant, ardent evangelical Christians. Henry Durant, who ran the college personally, made sure that everything about the institution proclaimed that, as its first announcement said, "The Institution will be Christian in its influence, discipline, and course of instruction." Extensive required Bible study supplemented the regular curriculum. Each of the professors, all women, would have to be able to teach such courses in addition to her regular offering.

Porter was speaking at the laying of the cornerstone of Wellesley's second building. The ties to the old Christian humanist college ideal were signaled not only by the presence of Porter himself, but also by the choice of the sainted Mark Hopkins of Williams to offer the invocation. Hopkins had already been immortalized by James A. Garfield, who at an 1871 Williams alumni banquet, in response to suggestions that the school was falling behind the times, remarked, "The ideal college is Mark Hopkins on one end of a log and a student on the other." The pious Garfield, himself a model of the old-time college product, was now two weeks away from the presidential nomination.

Prestige and piety converged at the cornerstone ceremony. The Rev. S. F. Smith, author of "America," wrote a hymn, "Founded on Christ," suggesting that Christ would be "the true cornerstone" at Wellesley. Dwight L. Moody, a friend of the Durants who shared their religious style, was present as a member of the board of trustees. The board, whose president was Noah Porter, was made up mostly of distinguished clergy and clergy-educators. Like the faculty, they were required to be members of an "Evangelical Church."

For Porter, in his seventieth year, it was a sign of the times that his strongest allies in concern for Christian colleges were ardent advocates of revival like Moody and the Durants. At mid-century Porter and other leading Congregationalist scholars of the generation, such as his friend Horace Bushnell, had turned away from strong revivalist emphases, stressing more the role of the college in cultivating Christian character. Now, however, the era was at hand when the most vital expressions of Christianity on campus would be in extracurricular piety.

Porter's Wellesley address, which was immediately published, was an important manifesto on a broader point. In addition to fostering a place for piety on campuses, Porter insisted that Christians must play a vital intellectual role as well. In particular, as he announced at the outset of his address, Christians should recognize that they were in a battle with the "secular" view of education that claimed it "must be free of all alliances with religion." Christianity was thus fighting for its very survival in the academic world. It was crucial, therefore, that "Christianity must control the college in order to exclude its antagonist, or rival, in the form of some false religion." Atheism and the recently popularized agnosticism "are religious creeds as truly as are theism and dogmatic Christianity."

In this intellectual warfare there was no neutrality. "Ethics, politics, and social science suppose a decisive position to be taken one side or the other in respect to both theism and Christianity: even elementary treatises on these subjects teach a positive faith or as positive a denial." Instructors also could not be

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neutral. Even if they claimed an objective stance, agnosticism might be taught "indirectly by gentle or sarcastic insinuation" or even "unconsciously . . . in subtle ways of impression even by an instructor who may honestly strive to withhold the slightest suggestion of his faith or his feelings."

Porter's comments were weighted with significance since he was in the midst of the controversy of his life. The audience at Wellesley was well aware of this because during the previous month Yale College had suffered the embarrassment of having its affairs exposed by the public press. On April 4th and 5th the *New York Times* had published two extensive front page accounts of recent efforts by President Porter to stop William Graham Sumner, one of the Yale's best-known younger teachers, from using as a text in his senior course Herbert Spencer's *The Study of Sociology*. As the *Times* put it, Spencer was well-known as the "White Czar of Agnosticism," and his iconoclastic book classed Christianity with "the superstitions of the Mohammadans and South Sea Islanders" as the sort of bias that true scientists needed to be rid of. This controversy, the paper proclaimed, divided the Yale faculty down the middle and "involves the whole issue between science and religion. . . . [I]ts final settlement will decide the attitude of the college toward the modern spirit of inquiry, which proposes to be guided by reason rather by faith."

The *Times* followed the next day with a satirical editorial that, mocking Spencer's tone, granted that "no intelligent man in this age of the world will for a moment maintain that there is any truth in Christianity," but added that since Christianity still had a strong hold on "the ignorant masses," Yale's giving it up would cause a great outcry. After all, the editorialist sarcastically suggested, if Spencer is right, and everything is relative, then it does not matter whether Spencer and Comte's positivism or Christianity is "the recognized faith to be taught to Yale students." It is all "mere prejudice," so we might as well "rid ourselves of prejudice as well as religion," and let Yale continue to be Christian. At Yale all this was a great embarrassment. However divided the Yale faculty might be, they all agreed that such matters should be settled privately, among gentlemen.

The Rev. William Graham Sumner himself had a correct pedigree. Before coming to Yale he had been an Episcopal rector in Morristown, New Jersey. He was also very much part of the Yale family. Porter had prized him as one of college's promising recent graduates ('63), and after a tour in Europe, Sumner had served as a tutor at Yale before going to Morristown in 1867. In 1872 he was appointed to the Yale faculty in the chair in Political Science. At the time he was still a traditional, though broadminded, Christian, who, against the Unitarians, affirmed the full divinity of Christ and who considered the Bible "a true revelation of spiritual and universal truths."

Sometime early in his Yale tenure, Sumner's religious views began to change rapidly. Although he remained an Episcopal priest all his life, he dropped the "Rev." from his title. Later he made the famous and revealing remark, "I never consciously gave up a religious belief. It was as if I had put my beliefs into a drawer, and when I opened it, there was nothing there at all."

Sumner's conversion to scientific naturalism came in the mid-1870s via the influence of Spencer, Darwin, and T. H. Huxley, writers whose work he had not earlier been able to accept. As he himself explained in a letter to Yale officials in June of 1881:

> Four or five years ago my studies led me to the conviction that sociology was about to do for the social sciences what scientific method has done for the natural and physical sciences, viz: rescue them from arbitrary dogmatism and confusion.

Of the few sociology texts available, Spencer's seemed the best, though unsatisfactory in some respects. Sumner did not think, however, that Spencer's religious views were even relevant to the question:

> Mr. Spencer's religious opinions seem to me of very little importance in this connection, and, when I was looking for a book on sociology, the question whether it was a good or available book in a scientific point of view occupied my intention exclusively.

Since Sumner was a gifted teacher, known for this brusque and forceful manner, his new views that science was the only relevant intellectual authority and religion was at best irrelevant had soon come to President Porter's attention. Recognizing the threat to his Christian humanist citadel, Porter attempted to hold off the alien forces by exercising his presidential authority.

In December 1879, Porter wrote to Sumner that the use of Spencer's *The Study of Sociology* had created "a great deal of talk." Even though Porter himself had used another of Spencer's works in a graduate course, he considered *The Study of Sociology* to be much less solid, "written very largely in a pamphleteering style."

> The freedom and unfairness with which it attacks every Theistic Philosophy of society and of history, and the cool and yet sarcastic effrontery with which [Spencer] assumes that material elements and laws are the only forces and laws which any scientific man can recognize seem to me to condemn the book as a textbook for a miscellaneous class in an undergraduate course.

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Porter concluded that since "I am presumed to authorize the use of every textbook, I must formally object to the use of this."

At the outset of his presidency, Porter had maintained that any religious tests at the college should be informal ones, left to the discretion of the college president, who did the hiring. Sometimes a teacher with "honest doubts," he had said, would be preferable to the overbearing orthodox dogmatist. In some chairs, Porter thought, the religious views of the incumbent could not affect the teaching. In others, however, "an anti-Christian sophist or a velvet-footed infidel might pervert [it] to the most disastrous uses."

By thus making religious tests a matter of judgment more of character than of creed, Porter reflected the impulses of his generation to move beyond strict dogmatism. He could thus proclaim the college to be "nonsectarian," which was prerequisite for schools that were to serve the public, even though "nonsectarianism" meant only that they would not stand narrowly for the views of one Protestant denomination as opposed to the others. Porter's generation, while still valuing Trinitarian orthodoxy, nonetheless remembered well the bitter controversies of earlier days involving rock-ribbed conservatives who insisted on precise credal tests. Moving back to such tests did not seem an option. Once the doors of an institution were opened to a wider public, they could not easily be closed. Yale, like most other early colleges, had always been creature of both church and state. That could work so long as the ruling elite was fairly homogeneous. In an era of increasing diversity, however, it was becoming impossible to impose credal tests on institutions that were defined by their public service. The only checks on infidelity would be the power of personal influence.

At the Yale gentlemen's club the reliance on personal suasion left the door open for compromise. Sumner took the point and met with Porter privately to air their differences. The result was that Porter in fact allowed the course to go on in the spring term of 1880 still using the Spencer text. However, when the controversy hit the newspapers in April, the issue took on a new life. The publicity put the matter on the agenda of the Yale Corporation which met in June, shortly after Porter's Wellesley speech. At that meeting ex-President Theodore Dwight Woolsey was prepared to offer a resolution that the president did indeed have veto power over texts. Porter, however, calmed the waters by assuring the corporation that part of the understanding in December had been that Sumner would not use the text again. Both Woolsey and Porter held the view that discipline of an erring faculty member should be dealt with by the faculty, meaning the president, rather than the corporation.

Again the matter was kept quiet, so it was not until the following December, when the time for offering the course again was near, that Sumner was informed of this resolution. He was furious to learn that Porter had claimed that he had agreed not to use the text again, when he himself did not think he had endorsed any such agreement. Still the gentleman, however, he was eager to avoid more sensational publicity. So he decided that it would be better for his students to have no course in sociology than to be exposed to such emotionally charged discussion. At the end of the term in June 1881, he addressed a letter to his colleagues and to the corporation somewhat bitterly detailing his discontent and announcing his intention to seek other employment.

The controversy was then successfully kept from the public eye and eventually died down. Sumner, who was an important asset of the school, was prevailed upon not to resign. The issue was left unresolved. On the one hand, Sumner was no longer using the Spencer text. On the other hand, he had not conceded the principle that administrative interference in the choice of texts was unacceptable. Academic freedom was not yet established as a principle in American higher education, but its components were emerging as the rights of a professional to regulate his own affairs. No longer would the rules for higher education be modeled on those that prevailed among clergy, where it was presumed that in a religious association everyone should think more or less alike, and that individuals should submit to a duly constituted authority. Time was clearly on the side of Sumner and academic individualism.

II

Had the issue been purely intellectual, Porter's emphases on the threats to Christian distinctiveness might have received wider hearing. The matter was not a question of a warfare between science and clerical dogmatism as Sumner, Andrew Dickson White (president of Cornell), and others represented it. Nor was it, as is often thought, primarily a debate over Darwinism. Yale, like almost all leading colleges in the North, was teaching biological evolution by 1880. Rather, the crucial issue was the assumptions on which natural scientific inquiry would be founded. As Charles Cashdollar has shown (*The Transformation of Theology, 1830-1890: Positivism and Protestant Thought in Britain and America*), the underlying challenge to Christian thought in this era was the challenge of positivism. Positivism, arising from the views of Auguste Comte (1798-1857), the founder of the field of sociology, asserted that true science precluded religious considerations. In Comte's construction of history, humans were progressing from a religious stage in which questions were decided by authority, through a metaphysical stage in which philosophy ruled, to a positive stage in which empirical investigation would be accepted as the only reliable way to truth.

Noah Porter, like some other thinkers of the era in-

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fluenced by idealism, recognized that the question concerned the assumptions that would determine the context in which science would take place. In his substantial text, *The Human Intellect* (1868), he concluded with a purely philosophical (i.e., not directly Christian or biblical) argument for "the absolute." Belief in the absolute, Porter argued, was a presupposition necessary to explain how we can know anything.

> We assume that this absolute exists, in order that thought and science may be possible. We do not demonstrate his being by deduction, because we must believe it in order to reason deductively. We do not infer it by induction, because induction supposes it; but we show that every man who believes in either, or in both, must assume it, or give up his confidence in both these processes and their results. We do not demonstrate that God exists, but that *every man must assume that He is.*

The objection to Spencer was that he a priori excluded any absolute and asserted that observable phenomena are all we can know about. As Porter put it in a sharply worded review of Spencer's *The Study of Sociology* in the midst of the Sumner controversy, Spencer's iconoclasm was based simply on arguing in a circle. Having defined science in such a way as to exclude all absolutes, he then triumphantly concludes that science shows there are no absolutes.

> And so he ends this long discussion with the assumption with which he begins, that in social phenomena we can only recognize natural causation, because, forsooth, if Sociology is a science it cannot admit any other agencies.

In retrospect, Porter does not appear obviously to have had the worst of the argument, as sometimes seems assumed. He recognized, as is largely granted today, that both natural science and social science always take place within a framework of assumptions. Sumner's view that religion could not be relevant to social science seems indeed to be built on uncritical acceptance of the Comtean positivist claim that science must be defined outside any theistic context. Clearly both natural science and social science investigations could take place either within or without theistic assumptions. In fact, in Porter's day Sumner represented a tiny minority of American academics who explicitly rejected the relevance of theism. Even many American sociologists attempted for another generation to relate their sociology to their Christianity, at least to Christian ethics.

The significance of the episode, however, is that even on the limited ground of undergraduate education Porter could find no acceptable way to establish effective institutional safeguards against Christian theism being undermined in the name of positive science. Sumner remained at Yale and continued there into the twentieth century as a formidable alternative to popular evangelical influences.

Given Yale's history of commitment to serve the public as well as the church, there was much to be said for this solution. No modern college that aspired to be a university could have a president who might simply fire faculty members with whom he disagreed. Porter looked like an obscurantist because he was attempting to impose standards of the church on an institution that had more than church loyalties. And for the time being there was little danger that Yale as a whole would lurch off into agnosticism. In the short run it had enough ties to its evangelical past to absorb some diversity of opinion and to be all the more stimulating a place for it. During the next generation most Christian academics came to believe that wide freedom of expression for faculty and opportunities for students to encounter representatives of a variety of viewpoints were essential to the best education.

Despite the evident merits of these considerations, however, Porter should be credited with recognizing the danger in what was happening, even if he could do nothing about it. In the long run, as Porter understood, the Sumners would win. Standards for science that a priori excluded considerations of faith would become the norm. Within two generations Porter would look like something out of the dark ages, and it would be difficult to remember an era when at leading schools Christianity was thought to be the norm for the classroom.

Porter had been immobilized by a latter-day version of the Puritan dilemma of how to live in the world but not of it. On the one hand, he had inherited the establishmentarian side of Puritanism which assumed that Christians should dominate the culture. In the republican context of the nineteenth century such tendencies had merged with Whiggish ideals of liberty, moral reform, free scientific inquiry, and progress. On the other hand, Porter was also heir to the sectarian side of Puritanism, which was still vigorous in New England theological debates. This side of the heritage emphasized the distinctiveness of Christian thought in opposition to all rivals. On this reading of the tradition, New England provided a haven of purity against the corruptions of old-world rivals. The sectarian side of the heritage said that he should fire Sumner; the establishmentarian side said he could not. Commitments by Yale to being part of the establishment, that is, remaining a leading institution defined by its service to the public, were bound to prevail. Porter was left with only an ambiguous and unsatisfactory compromise. During the immediately succeeding generations the establishment of cultural Protestantism survived in the academy, but only at the price of giving up the distinctiveness of Christian teaching as a factor in higher education. FT

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Books In Review

Take Back the Mind

The Morning After: Sex, Fear, and Feminism on Campus. By Katie Roiphe. *Little, Brown. 180 pp. $19.95.*

Reviewed by **Jean Bethke Elshtain**

Katie Roiphe is a brave woman. She counters the "Take Back the Night" ideology with what might be tagged "Take Back the Mind." Specifically, she urges young women to think twice or three times about what they are being urged to endorse in the name of victim feminism. Is there an "epidemic" of rape on college campuses? Are all young men sexual predators just waiting to pounce? Are all women helpless before the vulgar jokes, the sexual metaphors, the "unsolicited ogling" (an actionable offense on many campuses, by the way), the sexual innuendo, the ride "alone" with a man on a first date, the many subtle and egregious ways, so the ideology claims, men make their "power" felt, yea even irresistible, in each and every encounter that involves what used to be called the sexes before we started talking about "constructed genders"? (One shudders, by the way, to recall that "reckless eyeballing" got black men lynched in the Jim Crow South if their eyes wandered the "wrong" way toward a white woman.)

Perhaps the best way for me to introduce Roiphe's text is to recall a recent experience of my own. I was in Colorado, visiting family, and I picked up the "Welcome Back to Campus" edition of the newspaper of a large state institution in Northern Colorado. There were the usual greetings to students from all the local merchants; the usual upbeat message from the college president; the usual detailed information about registration and the rest. But there was also a full page, put out under the auspices of something called the "Equal Opportunity Developmental Office," listing some twenty pointers about sexual harassment and date rape. The one that caught my eye read: "Do not believe that if you dress provocatively, drink to excess, and go to a boy's room you are asking for sex or to blame if sex occurs."

Say what? Let me see if I get this straight. I dress provocatively. I drink, not a few drinks, but "to excess." I go to a boy's room. Then I wake up the next morning and accuse him of rape? Is that the plot line? You bet it is. What is pernicious about this sort of business is that it "constructs" the young woman as a wholly irresponsible agent whose one act of agency consists in accusing the young man of an opportunistic (at best), violent (at worst) act. She bears no responsibility of any kind for the outcome. Surely, however, in the scenario at hand the young woman's agency is involved in how she presents herself ("provocatively"), how she comports herself ("drinks to excess, goes to boy's room"). How, then, can it be that she bears no responsibility—none at all—for what subsequently happens?

That is the question Roiphe poses. She does not "blame" women for men's actions. Rather, she suggests that there are spheres of co-responsibility: men and women are in this together.

But the dominant narrative, now a standard genre, holds that women are once more sexual innocents, men once more sexual brutes. Virginia Woolf suggested that feminism needed to kill the "angel in the house," the image of the eternally sacrificing, forever innocent wife. Having put her out of her misery, what mainstream feminism appears to have done is to relocate this angel: she is now in the polity, proclaiming her rectitude and hurling anathema at men—all men—for all are either

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rapists, proto-rapists, or pimps. In fact, Catharine MacKinnon, the éminence grise behind this movement, claims that women who argue against the "all men are rapists" formulae are also "pimps," they and their male colleagues who worry about the civil rights of the accused and other such "bourgeois niceties" readily dispensed with for the sake of the greater cause.

And what is that cause? In a word: power. Not power of the sort Hannah Arendt talks about, the power citizens create when they come together to know a good in common that they cannot know alone. No, it is power as "dominance over" some other. It is power as the imposition of my will over yours. It is power of the most unredeemable variety. Roiphe wants women to have power, yes, and she is a feminist, but one of the "older" sort who believes men and women alike should share the risks and adventures of life, read the books they want to read, get the educations of which they are capable, enter the world on their own terms. This, of course, is an idealized portrait of what the world is all about, but it is far more attractive than that represented to the hapless "freshpersons" Roiphe describes, bombarded with propaganda based on a "rigid orthodoxy." "You couldn't suggest that the fascination with sexual harassment had to do with more than sexual harassment, you couldn't say that Alice Walker was just a bad writer, and the list of couldn'ts went on and on." What happened to the energy and the verve, Roiphe wonders, the "let's stride forth into the world" ethos of her mother's generation of feminists?

HAVING SPENT twenty years in the academy, I find Roiphe's description of the "impression of imminent danger" imparted to young women uncannily apt. I recall some of the battier stuff from my own experience of such incantations of pervasive, menacing danger, including a proposal by feminists on one Northeast campus to cut down most of the trees and bushes on the campus because rapists might be lurking there at all hours. Now, mind you, the number of "stranger rapes" of the sort when someone unknown to the woman accosts her in an alleyway, or breaks into her house, or bursts out from bushes is quite small as a percentage of the overall number of reported assaults. Of course, no more than murder is one violent rape acceptable. But the idea that young women on our elite campuses are *uniquely* vulnerable is nonsense.

If you check out the most reliable crime figures (U.S. Justice Department's Bureau of Justice Statistics, among others), you learn that the rate of reported forcible rape is not on a rise at a rate markedly out of line with other crimes of violence (constituting about 6 percent of violent crimes overall) and, moreover, you learn that if you are a white woman you are in the group *least* at risk for being a victim of a violent crime of any kind. As Roiphe notes of her own campus, between 1983 and 1992 "only two rapes have been reported to campus security" at Princeton University. In fact, crime statistics at both Princeton and Harvard show that a man is "more likely to be attacked than a woman" when he is walking to his dorm or home at night. These figures are entirely consistent with all the others now available. So why don't senior women, professors, and administrators take heart and cheer young women on: "Yes, do be careful. Don't take unnecessary risks. But your chances of being a victim of a violent attack are actually quite small." Why indeed?

The explanation is this: the campus "rape crisis" feminists have shifted the terrain. They have made rape virtually indistinguishable from sexual intercourse itself—and that is, of course, their primary intent. Leading movement ideologues claim there is no distinction, that, in fact, rape and sex between men and women collapse into one another in a "rape culture" of patriarchal dominance.

HENCE all the talk about women as "powerless," and "empowered" only when they make public confessions of the sort the culture now encourages, shameless displays of the Oprah/Geraldo sort, as part of "rallies" on campuses. You are not permitted into the conversation unless you proclaim your victimization and pain. The result is to do real damage to real victims whose pain is not so readily prepackaged and served up as genre fare. As Roiphe writes: "These Princeton women, future lawyers, newspaper reporters, investment bankers, are hardly the voiceless, by most people's definition. But silence is poetic. Being silenced is even more poetic."

"Breaking the silence," then, is a way to belong, to be one of the group, not to stand out, not to question, not to challenge, not to criticize, not to do any of the things college is there to encourage young people to do. A watery therapeutic goo spreads over situations and scenes. If you haven't been damaged by some awful thing some man has done to you at some point you are either lying or repressing or "silencing" other women by refusing to sign on. Roiphe notes several scandals, women claiming victimization who confessed later that they had been overcome by the moment and made up a story to "raise awareness" even though a specific young man was falsely charged in the process. A small price to pay, again, in the interests of the greater cause.

A recent piece in the *New York Review of Books*, titled "Guilty If Charged," told a chilling tale of one hapless professor at a New Hampshire university put through the torments of purgatory over what were, if uttered, rather pathetic but harmless words. *Vogue* (of all places) published a similar piece, "The Burden of Proof," by a woman journalist fed up with the witch-hunt atmosphere victim feminism has generated. She wrote: "It is OK in the name of a politically correct cause to damn the truth, damn proof, damn rights to privacy or free speech." A novelist in another "woman's magazine," under the title "Big Sister is Watching You," tells tales of receiving hate letters from "women who identified

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themselves as feminists," claiming that she had a responsibility to present only "positive" (read: sinless) female "role models." And because her female characters were not all purity, goodness, and light, she was obviously another of those female pimps, in MacKinnon's lexicon, doing the dirty work of patriarchy. So lots of women are fed up, Roiphe being just one of a growing number.

Roiphe does yeoman's work in showing the ways in which responsible scholars, male and female, have systematically discredited the inflated "statistics" taken as gospel by rape crisis centers and the purveyors of victim ideology. But her frustration, and that of anyone in this area who wants to be able to respond with compassion and forthright decency to the real victims, is that ideologues have no use for reliable data. They are pushing a worldview in which everything falls into place. That ideology relies on a world of woman as ur-victim, man as ur-victimizer. The narrative unfolds predictably. If you say: "But if we live in a rape culture, why is rape a crime? If, in fact, rape is the normalized way men and women engage one another why do we not train men to rape, reward them when they do? What have the police and courts been doing all these years? What is all the aggressive law enforcement and prosecution about?" And the answer is that all of this illegality and prosecution is but a vast pretense, lulling "us women" into believing something is really being done when, in fact, "the system" just pinpoints a sufficient number of men to keep the whole edifice of the "rape culture" intact overall. As my mother might say, "There's no talking to such people." The still, small voice of reason gains no hearing in such circles.

Two other points are worth mentioning: Roiphe, correctly, sees victim feminism as a hankering for days of greater control, more policing of male-female relations. She opposes all of that. For Roiphe, freedom and responsibility are the key terms. I'm for both, and I think she is quite right that the newly refurbished myth of lost innocence is "a trope—convenient, appealing, politically effective." But perhaps, just perhaps, eighteen-year-olds are not quite ready for a free-for-all. When universities gave up *in loco parentis*, they set up very little in its place. A lot of ideological busybodies have filled the vacuum; people, mind you, who don't talk about "ethics" but only about "power" and "empowerment" and "silencing" and the like. MacKinnon and her minions explicitly eschew any talk of "ethics." For them that reeks of Christianity, and Christianity is just another name we give to "patriarchy." My argument, pace Roiphe, would be to bring ethics back in to the discussion. Young people, at least the ones I talk to and see, are searching, sometimes rather desperately, for an ethic of co-responsible

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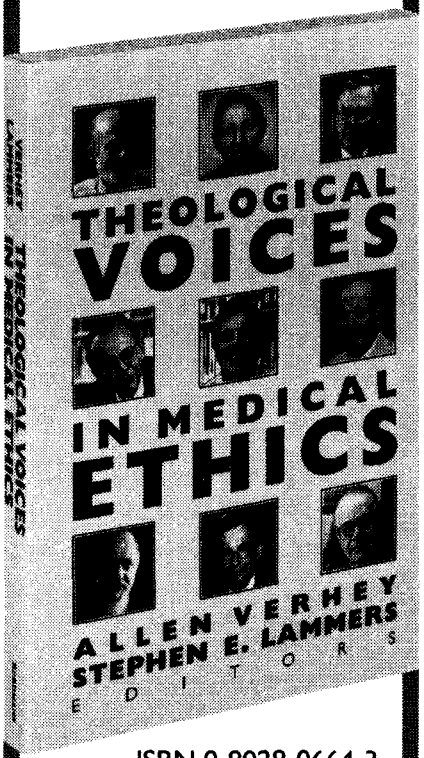

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freedom and they are getting precious little assistance from the campus powers-that-be.

Finally, and most disarmingly, Roiphe targets the assaultive, bitter nature of the feminism she criticizes for its reductionistic treatment of the literature she loves. She laments the cultural "dumbing down" in which we have been engaged for a good many years now. A text is no longer read; it is ripped apart. Roiphe describes a discussion in one of her literature classes about the work of Edith Wharton. Wharton is taken to task for being "antifeminist." One inflamed student tells Roiphe that "Edith Wharton's characters are necessarily antifeminist because within the hegemonic male discourse, it is impossible for the female voice to be empowered." That, presumably, is that. Literature offers us powerful and ambiguous worlds, worlds without clear-cut villains and victims; worlds of nuance and innuendo; worlds of passion enacted and passion restrained; worlds of unspoken yearning and the dignity of chosen silence. Those are worlds the ideologues disdain and must work to destroy because that is what "real life" is like.

If I were to sum up Roiphe's book, it would be quite simple. Her message to feminists is: grow up. There is no world, anywhere, and there never will be in which any group can or should exercise perfect and total control. Were there such a world, it would be unlivable. In the meantime, we must work to bind up the wounds, tend to the suffering, succor the ill, serve the less fortunate. But they do not come to us in tidy packages determined solely by gender. Perhaps it is time to remind victim feminists that a man, too, like Shakespeare's Shylock, bleeds when he is pricked. Is he not a human, imperfect like the rest of us? Can we not try to walk into the future together, men and women in relation, however imperfect, rather than as isolated and isolating serial monads distinguished by our enmity, fear, suspicion, and loathing of one another? Until our college campuses wake up and take on the real purveyors of hatred, many of them ensconced in offices with nice-sounding titles, enmity, fear, suspicion, and loathing it will be. Friendship, even love, between men and women will blossom despite, not because of, the atmosphere Roiphe so vividly describes.

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Learning from the Masters of Suspicion

SUSPICION AND FAITH: THE RELIGIOUS USES OF MODERN ATHEISM. By MEROLD WESTPHAL. *Eerdmans. 289 pp. $19.99 paper.*

Reviewed by **Robert W. Jenson**

IF THE lesson-drawing bits of this book had been omitted, I would have been as enthusiastic as are the blurbs printed on its cover—as it happens, written by two highly respected friends of mine. The book would then have been straightforwardly an exposition of Freud, Marx, and Nietzsche, the great modern "masters of suspicion," on the subject of religion. And strictly as such it is indeed the "gem" one of my friends calls it.

Merold Westphal, who teaches philosophy at Fordham and writes on crossover matters between theology and philosophy, has a comprehensive and often penetrating knowledge of the texts—for my choice, he is best on Freud, but that may only be because that is where I most needed his instruction. He has a remarkable ability to see and display constitutive relations between the parts of each thinker's work, and to exploit conceptual and historical relations between each thinker and the others. Finally in this encomium, he has the teacher's indispensable knack of oversimplification without disastrous distortion; for example in a grand summary, he tosses off a chart filling in the blanks of "For . . . religion is primarily . . ." which with Freud has "ontological weakness seeking consolation," with Marx "sociological power seeking legitimation," and with Nietzsche, "sociological weakness seeking revenge."

Had Westphal let it go at this, one could also have commended the book for its stated purpose: "This book was written more for the church than for the academy." The Church must indeed always give thanks for insight into these thinkers with whose legacy she is so inextricably engaged. One might even have swallowed the cute opening: "'Yes, you heard me right. I propose the serious and sustained reading of Marx, Nietzsche, and Freud as a Lenten penance.' 'You've got to be kidding. That's positively outrageous.' 'Perhaps it is. But I'm not kidding.' " One might wonder where the author had been keeping himself, to imagine such a conversation, but never mind.

The book, however, wants also to tell us how the Church and her theology can and should profit from Freud, Marx, and Nietzsche. It is at this juncture that my gratitude turns to disappointment, and occasionally even to outrage.

FOR THE lesson that Westphal would have Christians derive from the masters of suspicion is that religion *may* be or *can* be or *sometimes* is what each of them say it is, fudged renunciation à la Freud or ideological obfuscation à la Marx or the cunning of *ressentiment* à la Nietzsche, and that we should watch out for the symptoms and repent when

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we find them. But that, of course, is not their point at all. What each says is that religion *essentially* is the diagnosed sort of bad faith. Nor is the unconditional character of their suspicions negotiable; if religion sometimes can be selfless or disinterested or noble, the theoretical positions by which their suspicion is mandated in the first place are falsified. Since of the three I most honor Nietzsche, it is on his behalf that my disappointment at trivializing application most turns to protest, and I will spend another paragraph exemplifying it.

Zarathustra's bitter word play is cited, from a section "On the Virtuous." "*Und wenn sie sagen: 'ich bin gerecht,' so klingt es immer gleich wie: 'ich bin gerächt,'*" which we can only translate with loss of the fun, "and when they say, 'I am just,' it always sounds like [which is just what it does in German] 'I am revenged.'" Despite the text's pitiless "*immer*" (always), what the author would have the pious get from it is that "the concept of justice very *frequently* masks the vengefulness that stems from resentment" (emphasis added)—a triviality never, I suppose, doubted by anyone. Or for an example that gets to the heart of the problem, when the author rightly sees that Nietzsche is no "cynic," he concludes that Nietzsche's threat is merely that "no piety is exempt from scrutiny," never adducing Nietzsche's actual alternative to cynicism, a *nihilism* consisting in the impossibility of all piety.

It no doubt goes with the manageability of the threat as seen here that where occasional concrete responses are recommended, these too are less than intrepid. Marx is to be satisfied with liberation theology, Nietzsche with a moderate Lutheran antinomianism, and Freud with "real" renunciation.

The conceptual basis for the author's ability to dodge in this fashion is the entirely correct and necessary observation that Freud, Marx, and Nietzsche practice hermeneutical or "genealogical" rather than epistemic suspicion. They do not ask whether religious claims are true, but how we come to make them. They are "theologians of original sin," not of original error. Thus believers can, it is urged, at once learn from them that the causes of their belief are such as can only be repented of, and continue to assert their beliefs as true. Indeed, it is argued, Christian faith intrinsically involves the necessity of religious self-critique.

This is doubtless true so far as it goes. As Westphal points out, biblical prophets and Reformers and Barthian theologians have done something very like what he commends. Nevertheless, the commendation as developed is too superficial to meet the hermeneutic of suspicion. Freud and Marx and Nietzsche charge that the holding of

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religious beliefs is itself sufficient evidence of bad faith. Therefore I cannot tell them, "I have thought these true things for the following disgraceful reasons, of which I now repent. Henceforth I will think the same things but for better reasons." For if I continue to hold the beliefs in question, merely thereby I prove to them that I have not in fact repented. Freud, Marx, and Nietzsche may indeed leave open the possibility of religious beliefs being in some disembodied sense true, but they do not leave open the possibility of anybody truly entertaining them. If we are to grapple with these thinkers in honor for them and to our believing profit, more principled moves are required than are here proposed.

Theology has seen two possible such moves, not necessarily mutually exclusive. We may counterattack, destroying the position from which the accusation of bad faith is launched. Such an attack can only be made by turning suspicion against itself, by critique of the uncriticized assumptions of modernity's merely critical intelligence. A current effort along these lines is the much-discussed work of John Milbank. And here indeed Nietzsche can point a way: alone of the three, he knew that suspicion had to fulfill itself in suspicion precisely of suspicion. Nietzsche himself, since he would not believe, ended sheerly adrift in being, practicing anti-thought, intermittent madness, and confusion of identity with his enemy "the Crucified"; but believers need not fear that outcome.

The other possibility is to carry out the whole, and not just the first part, of Barth's move. Barth and the other "dialectical" theologians teach a doctrine of epistemic justification by faith alone. We are to confess not merely that our reasons for belief are sometimes sinful, but that they always are, thus indeed agreeing with Nietzsche et al. If then we may nevertheless continue to believe, it is not because we have found some moral room to maneuver, but because *God* in Christ justifies our—in itself reprehensible—belief, making Himself truly its object. Belief's salvation is not by our insight, learned from suspicion or otherwise, but by God's grace.

Describing these two possibilities, I have described much of our century's theological labor. The pity is that the present work does not seem to know about this. By all means read it for excellent expositions of Freud, Marx, and Nietzsche. But look elsewhere for how to profit from them.

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Strangers in Urban America

IMMIGRANTS AND THE AMERICAN CITY. By THOMAS MULLER. *New York University Press. 372 pp. $30.*

***Reviewed by* John J. Miller**

TO TALK about immigrants is to talk about cities. About 1.1 million new immigrants arrive in the U.S. each year, both legally and illegally, and virtually all of them settle in or near a major metropolis. Without this annual infusion, many of these places would seem almost uninhabitable. From their remarkably high rates of small business ownership to, as Thomas Muller puts it in *Immigrants and the American City*, "their uncanny ability to materialize with umbrellas in the midst of unexpected downpours," immigrants have propped up dozens of urban areas at a time when hordes of other people are bailing out of them.

They follow a familiar path. During the nineteenth century, immigrants avoided the agrarian South and swarmed into the urban North. Once there, they spurred massive economic development and by the time the Civil War broke out accounted for up to one-half of all factory workers. Muller even interprets the North's victory over the South as a triumph of immigration. Without so many people and so much industrial power rising out of New York, Boston, and elsewhere, he argues, "at a minimum . . . the conflict would surely have been more protracted."

Today's immigrants certainly aren't preparing for a civil war, but if recent opinion polls mean anything, they may have quite a fight on their hands. The American public has clearly given immigration a thumbs-down for now. *Newsweek* reports that 60 percent of Americans consider immigration a "bad thing" for the country today. According to a *New York Times*/CBS News survey, 61 percent think the U.S. should reduce current immigration levels. When Congress passed the Immigration Reform and Control Act in 1986, only 49 percent of the public felt the same way. In 1965, when Lyndon Johnson abolished the national origin quota system, only 33 percent did. If these indicators represent more than shallow public posturing and instead reveal genuine deep resentments, legislators

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will soon start clamoring for big reductions in the number of newcomers we allow into our society each year.

No important political figure has yet embraced an explicitly anti-immigrant agenda, but several have come close by raising alarms over public costs. California Gov. Pete Wilson, a Republican, and Florida Gov. Lawton Chiles, a Democrat, want the federal government to pick up all expenses related to illegal immigration. Unfunded congressional mandates, they say, have turned current federal immigration policies into a terrible health, education, and welfare burden for state taxpayers. Gov. Wilson caused quite a stir when he suggested a radical reinterpretation of the Fourteenth Amendment: the government must no longer confer citizenship upon the U.S.-born children of illegal aliens.

Americans have always worried about immigrants becoming public wards, even though, in years past, immigrants could expect very little help from the government. Today, many Americans think immigrants are quickly becoming clients of an overly generous welfare state. Legal entrants, after all, qualify for many of the public services available to the native population. Illegal immigrants are entitled to a variety of benefits as well, including a K-12 education and emergency medical care. The undocumented parents of citizen-children currently constitute one of every seven recipients of Aid to Families with Dependent Children in Los Angeles County. In light of this, Gov. Wilson's citizenship proposal suddenly seems less radical.

But there is no need for grave concern. "Taking both short- and long-term effects into account, financial burdens on government should not be a pivotal issue in immigration policy decisions," writes Muller. For every statistic suggesting that immigrants gorge at the public trough, Muller can cite several others that suggest the reverse. Studies based on New York City, for instance, reveal few worries about immigrant costs. The 1980 Census indicates that 13 percent of native-born households received public assistance, compared to only 8 percent of foreign-born households. Among female-headed households, 53 percent of native households receive aid, compared to 38 percent of immigrants. Most immigrants who go on welfare are new arrivals; more established, long-time residents make enormous economic contributions, especially in cities.

New York City, for example, would have lost 1.5 million residents in the 1970s if immigrants had not arrived to cut the loss nearly in half. During the 1980s, the city officially gained

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just over 250,000 residents, thanks largely to more than 850,000 legal immigrants who settled there. If immigration had ceased in the mid-1960s, Muller speculates, "the city would now have considerably fewer than six million inhabitants." Fewer people means lower tax receipts, more abandoned schools and housing, and a crumbling infrastructure. Without fresh injections of immigration, New York might have gone the way of Detroit and become a desolate and dangerous urban core surrounded by suburban expatriates. New York certainly has its share of problems today, but it is still a livable city.

Muller suggests that the U.S. grows most skeptical of immigration during an economic downturn, an analysis that, as the country slowly emerges from recession, helps explain current public attitudes. (It also illuminates some of the near-hysterics in California, which receives a big share of the nation's immigrants and has experienced a longer and deeper recession than the rest of the country. The recent Los Angeles earthquake, which caused up to $30 billion in damage, certainly won't help the immigrant cause in California.) During economic expansion, Muller says, very few Americans consider their jobs directly threatened by either legal or illegal aliens. "An annual net inflow of 150,000 to 200,000 illegal workers, particularly those without families, is not only tolerable but probably beneficial, at least for the middle class, in all but the worst of times," he writes.

And in the worst of times, some say, immigration levels manage to adjust. If the U.S. has few jobs to offer, few immigrants will make the trip. Some of those who are already here will leave. Muller, however, doesn't quite buy this argument. Self-adjusting rates may have worked until the 1970s, he argues, but "[t]he pressures to leave some countries are likely to become so great that even a lack of jobs and poor living conditions in the United States would not be a disincentive." This point holds some truth—Haitians, for instance, would probably find a Depression-era U.S. economically attractive—but it also fails to consider one of the big global economic developments of the early 1990s, the rapid industrialization of poor countries. While Japan and the West floundered in a mild recession, China and much of the developing world boomed. On a similar note, the North American Free Trade Agreement should significantly improve the Mexican economy. This will, in time, create new and better job opportunities and eventually reduce the incentive to leave Mexico, which currently supplies more immigrants to the U.S. than any other country. Then again, NAFTA could also lessen the need for low-skilled immigrant workers in the U.S., making the presence of some less tolerable than in the past.

WHENEVER the question of low-skilled work comes up, so does the matter of job competition between immigrants and blacks, even when the immigrants are themselves black. "The streets of the nation's capital have . . . become focal points of tension between native blacks and African immigrants," writes Muller. "As the number of taxicab drivers from Gambia, Ethiopia, and Nigeria grows, native drivers come to resent the newcomers moving in on their turf. And on the city sidewalks, American-born blacks complain that vending stands owned by Asians are taking over." Muller goes on to cite several studies showing that employers overwhelmingly prefer immigrant workers to (native) black workers.

Yet his own studies show that black unemployment lessens in areas with high levels of immigration from Mexico and Korea. This could mean that Mexicans and Koreans travel to areas that offer good employment opportunities for everybody, including blacks. Or it could mean that these immigrants help create jobs for blacks. In either case, it strongly suggests that the

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presence of immigrants does not directly cause joblessness among blacks. Other data indicate that black household incomes rise in areas with a high percentage of foreign-born, that immigration levels do almost nothing to explain the joblessness of black youths, and that middle-class blacks living in "gateway cities" with many immigrants made significant strides during the 1980s toward reducing black-white income differentials. Immigration does not present a rosy scenario for all blacks, of course—blacks in trade unions often find their contracts undercut by immigrants willing to work for less—but, as Muller shows, the situation is hardly as bleak as it might seem by some accounts.

Fully aware that he speaks to a country going through the immigration jitters, Muller ends his book on a near-perfect note: "Today the clamor at the nation's gates is ever louder and, to some, more ominous. But the clamor should be a cause of pride, not anxiety; a sign of vigor, not an omen of decline." We may roll our eyes whenever somebody calls America "a nation of immigrants," but the phrase remains as true today, thankfully, as ever before.

Liberalism vs. Religious Freedom

Religious Liberty in the Supreme Court: The Cases That Define the Debate Over Church and State. Edited by Terry Eastland. *Ethics and Public Policy Center. 516 pp. $29.95.*

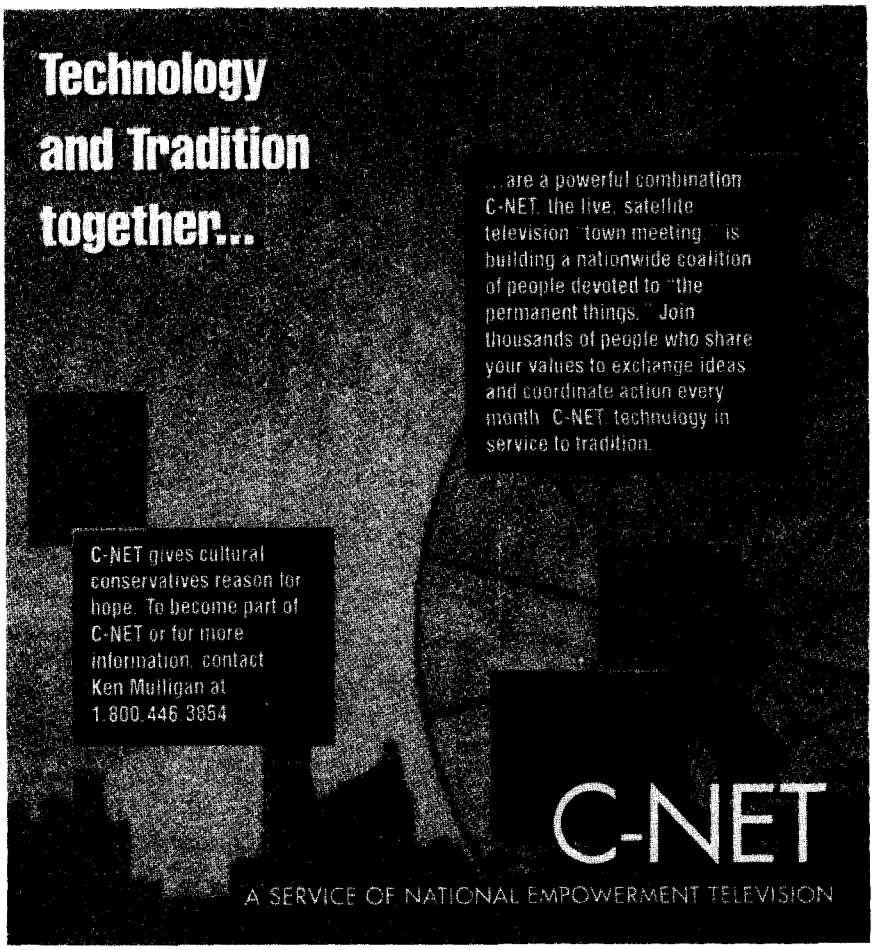
Reviewed by **Mark C. Henrie**

For all their concern about the rise of anti-democrats in post-Soviet Russia, when it comes to the decisive excellence of the American regime our chattering classes strangely forget self-government and the will of the people. Instead they proffer for praise the wise guidance of the Supreme Court, our government's most antidemocratic branch. Indeed, given the wrenching national struggle we witness each time a seat on the High Bench must be filled, it sometimes seems that the primary function of our Senate and presidency is the filling of openings among the Nine Oligarchs.

Of course, there is truth to the claim that constitutional democracy is recognized by its special respect for law. One might also observe that our Nine represent a needed aristocratic element in an American "mixed regime"—this despite the Founders' boast of having achieved a government wholly republican in character. Such an aristocracy would probably not be objectionable were there less divergence between the moral and social intuitions of these oligarchs and those of the people, a divergence particularly acute on the question of the social role of religion. Surely the "spirit of the laws" is violated when courts decree a theory of justice that so completely contradicts the character of a people as does our case law concerning the Religion Clause(s) of the First Amendment.

The current awkwardness of the Court's position on church and state has resulted from the intrusion of political theory into jurisprudence. Rather than understanding the Constitution as a set of procedures designed to elicit the "deliberate sense" of the American people and to see that sense prevail democratically, contemporary legal theorists—and the judges who read their books—apparently believe that the Constitution is an early "attempt" at creating a liberal political and social order. It is a document that intends to "achieve" liberalism. On this basis, justices believe themselves authorized to reflect abstractly on what a "liberal society" might entail, and having ascertained this, to decree it

Mark C. Henrie *is a doctoral candidate in Political Theory at Harvard University.*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as our fundamental law, regardless either of popular will or of the actual text of the Constitution.

So STEEPED in theorizing rulership did the Court become during the Warren years that certain dubious novelties at first escaped notice. For example, it had long been held that the First Amendment committed the federal government to exercising a "lofty neutrality" among religious sects; by 1968, it seemed obvious that liberalism also demanded neutrality between religion and irreligion. Only in a 1985 dissent in *Wallace v. Jaffree* did Justice O'Connor point out that the Free Exercise Clause itself sometimes mandates exemptions for religious observers from otherwise generally applicable legal obligations. She concluded that "a government that confers a benefit on an explicitly religious basis is not neutral toward religion," nor was it ever intended to be. While neutrality between religion and irreligion may be required by liberal theory, something very different is required by the United States Constitution. But since what we might call an accommodating separationism is a deeply engrained American moral habit, many informed Americans have not been able to articulate the reasons for their sense that something has gone awry in the Court's religion decisions.

Terry Eastland's new book—an edited collection of the key religion cases of the past half century, with short commentaries by Mary Ann Glendon, Michael Sandel, and Michael McConnell—aims to provide its readers with a sophisticated understanding of these highly controversial matters. For those who have followed the debates about the Court's religion decisions in this journal, little new ground is covered, though the excellent Sandel essay deserves the wider audience this book may offer.

In light of their changed political fortunes in the 1990s, the book might be considered a *summa* of unrealized "neoconservative" hopes in this field, but some of the arguments may now have only an historical importance. For as Eastland himself has noted elsewhere ("Religion, Politics, and the Clintons," *Commentary*, January 1994), a major shift in the "conservative" approach to church-state issues may be occurring, a result of the growing recognition among Evangelicals that the Protestant hegemony of the past is beyond retrieval. Consequently, clothing the public square with the decent drapery of Protestant Christianity (for example, by returning prayer to the public schools, a Reagan-era staple) now seems a politically unrealizable goal. A new conservative consensus may now form, however, around the project of *shrinking* the public square, or at least the state sphere—in part by rec-

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ognizing that public purposes are pursued not only through state action but also through intermediate institutions, the classic American case being the parochial schools. Such an approach to delimiting the spheres of church and state was pioneered by John Courtney Murray and has heretofore found expression primarily in Catholic political practice. A growing Evangelical orientation toward such a view marks an important development.

All this is a matter of speculation, however. In the meantime, the texts of the decisions in Eastland's collection present a fascinating insight into American liberalism's confused struggle with religion's failure to wither away on these shores.

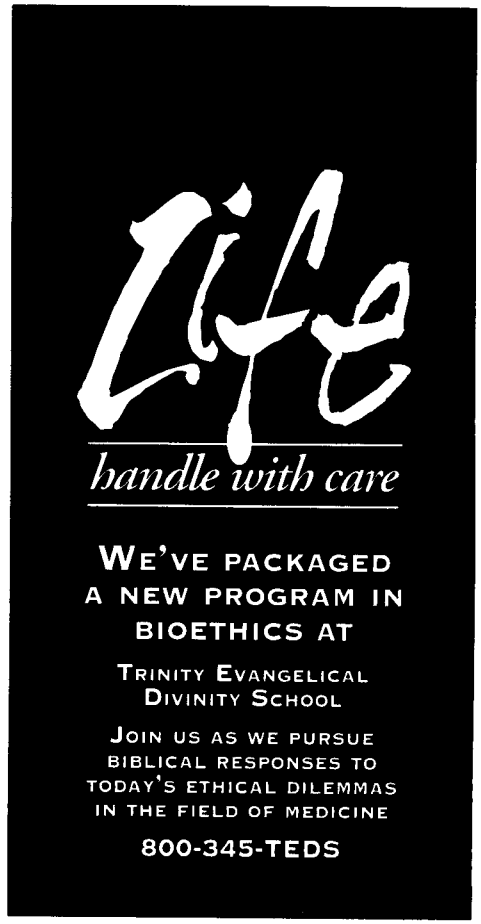
The first oddity that this anthology brings to light concerns the issue of originalism. In some of these decisions, the "Founders" are understood to mean Madison simply, and at least twice his "Memorial and Remonstrance" is appended to a decision or a dissent as if that pamphlet alone settled the question at bar. Jefferson's opinions are also explored to illuminate American founding principles, and his phrase about a "wall of separation" between church and state is ritually repeated. This is an odd business, however, for Jefferson was in Paris during the Constitutional Convention, and he did not sign the document. To undermine Justice Burger's indulgence of Pawtuckett's display of a Christmas crêche scene, Justice Brennan was even willing to repair to the Massachusetts Bay Colony's historic intolerance of all things Popish to illustrate the "true" American tradition on the subject of Christmas crêches.

The experience of virtually no state other than Massachusetts and Virginia is adduced to establish the controlling American history of church-state relations. Yet none of the early decisions that set the tone for the Court's great secularizing project shows awareness of the fact that the First Amendment, as ratified, is the work of the fiery Massachusetts Puritan, Fisher Ames; its wording was intended specifically to protect his state's established church from federal interference. Only in the 1980s do we begin to see a more sophisticated understanding of American history applied to church-state questions, especially in the dissents of Justice Rehnquist. He provides a detailed account of the debates in the First Congress over the wording of the First Amendment, notes that the Northwest Ordinance recognized the government's obligation to address the religious needs of a democratic people, and considers that the U.S. Congress funded even avowedly sectarian schools for Indians as late as 1897. Such history indicates that the American Way in matters of church and state simply does not coincide with contemporary liberal theories of political sovereignty.

Given the Court's embrace of liberal theory, however, it is not surprising that the contest over religion's role in American society should focus on the schools, both public and parochial. For liberal theories of politics begin with the conceit that we can presume the existence of rational adults. Such theories seek to do these adults justice by respecting their autonomy. What was conspicuously missing from the early liberals' accounts of the state of nature was any mention of *children*; what is thus absent from liberal political theorizing is an account of education, the rearing of children, something which had been a central concern for classical political philosophy. It is no exaggeration to say that liberalism by itself has no idea what to do with children.

But this lacuna cannot easily be remedied, for liberalism's boast is that it prescinds from any thick theory of the Good, and thus uniquely does not need to indoctrinate (or train, or habituate) its citizens with controversial orthodoxies. Insofar as the rearing of children was a local, (semi-)private matter, there was something to this boast. But when the liberal state appropriated to itself the business of education, it seized the responsibility of soul-formation. An avowedly liberal state would appear to have two choices: either it can relinquish its claims to hold the right prior to the good—and thus its privileged position over other political possibilities—or it can extricate itself from its control of education, relinquishing this responsibility to other social bodies. The latter option would seem preferable, for as former Krakow Mayor Jacek Wozniakowski has noted, the state in our century has proven to be a bad patron of education—which is why school choice programs are a salient feature of all the post-Communist societies in the East.

Liberalism's difficulty in justly accommodating the fact of children is amply evident in the Court's school prayer decisions, collected here, all of which exhibit a fumbling psychological rationale for school secularism. The majority opinions examine with great sensitivity the subtle pressure that public prayer



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might impose upon impressionable youngsters; formal prayer would not be neutral. But these same opinions insist that in eliminating public prayer from the schools, the freedom of the religious child is in no way infringed, for the child is "free" to pray privately. Simultaneously, children are understood as vulnerable, conformist, incompletely formed egos and as confident adults, prepared and equipped to cleave to their faith and religious practice regardless of the pressure of indifferentism communicated by the school environment.

Likewise and ironically, in the 1948 *McCollum* case, while deciding that in-school but privately funded religious instruction nonetheless violated the "wall of separation," Justice Frankfurter himself explained most convincingly why after-school extracurricular religious education is an inadequate substitute: the secularity of the common school program coupled with the school's monopoly of a child's "business hours" effectively marginalizes such after-school programs. If religion were important, it would be a subject in "real" school. Anyone involved in religious education today can attest to the powerful effect on children's minds of this official exclusion of religion from the formal curriculum: there is nothing neutral in it.

CONVERSELY, a similarly unconvincing psychology is found in the justices' worry about an impression of state endorsement of religion in programs that send state-funded teachers into parochial schools to teach remedial secular subjects. In his 1985 *Grand Rapids v. Ball* decision, Justice Brennan writes that a child in a government-funded program within a parochial school might perceive a "symbolic union of church and state." Brennan believes that this is "likely to influence children of tender years, whose experience is limited and whose beliefs consequently are the function of environment as much as of free and voluntary choice." This reasoning seems compelling, until we realize that it presumes that a school child has even the slightest notion of where a teacher's salary comes from, which is dubious, if not incredible.

And perhaps this is what is fundamentally missing in the Court's attempt to adjudicate the role of religion in the schools, namely, an account of how both public and parochial schools are actually experienced by the communities that make use of them. It seems clear that the public schools are not immediately and simply understood as an activity of the state. In the minds of most Americans, the status of the local public school is not equivalent to that of the IRS. On the contrary, the school is closer to the people than is the state; it is "owned" in a way the state is not. The public school thus presents something of a private face. This perhaps explains why so many Americans who affirm the separation of church and state nevertheless cannot understand the prohibition of prayer in the public schools. Conversely, it also seems that parochial schools are not usually experienced as wholly private institutions, for they certainly perform as much a public service as the so-called public schools.

The Court, however, has been unable to recognize anything "private" about the common school. For the Court, the public—which it uniquely superintends—is an undifferentiated unity extending to anything touched by any level of government in the United States: the same laws of right must be applied in the "public" sphere everywhere. Thus, the smallest public school in the most homogeneous village in the nation must be administered in as "public" a fashion as the largest school in New York City. The austerely and justly neutral state, once comfortably distant, now by Court order thrusts itself into local communities, which in a significant sense are no longer self-governing.

TO SOME this may seem an unmitigated good, the simple achievement of just and progressive social institutions. Others remain unconvinced by such an account of justice, and perceive that we have been losing something that has been praised as a signal American excellence since Tocqueville: the self-governing nature of towns, free from the oversight of the central power, the King's Justice. In the name of controversial interpretations of individual rights, the Court's religion decisions often appear as nothing but a usurping expansion of the sphere of secular liberal sovereignty. Yet because contemporary liberal theory is unreflective about the danger of its own drive to totalism—the paradoxical destruction of the private sphere in the name of privacy rights—this social reality remains unacknowledged in our constitutional law.

Justice Brennan once wrote that "the Establishment Clause seeks that . . . no American should at any point feel alienated from his government because that government has declared or acted upon some 'official' or 'authorized' point of view on a matter of religion." Ironically, the Court's point of view on religious matters has increasingly alienated a sizable American minority. That alienation can only grow, so long as the Court fails to recognize the limits of liberal justice—limits that must in large part be structured by religion's rival claim to sovereignty in human life.

BRIEFLY NOTED

MARTYRS AND MARTYROLOGIES. Edited by DIANA WOOD. *Blackwell. 497 pp. $64.95.*

The story of Christian martyrs of the twentieth century is yet to be told, and one of the merits of this collection of learned essays, consisting of papers read at the Summer 1992 and Winter 1993 meetings of the Ecclesiastical History Society, is that they not only deal with early, medieval, and early-modern martyrs (and ideas about martyrdom), but include several original essays on latter-day martyrs. Thus we read, for example, of martyrs under the Communists, of martyrs in the

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African church of the twentieth century, and of the Anglican missionary Vivian Redlich, who died at the hands of the Japanese in Papua in 1942. There are also essays on such diverse topics as princely martyrs in Kievan Russia, medieval heretics as Protestant martyrs, John Foxe and the politics of Marian persecution, and the veneration of the martyrs of Ikitsuki in the seventeenth century.

— *Robert L. Wilken*

THEOLOGY WITHOUT BOUNDARIES: ENCOUNTERS OF EASTERN ORTHODOXY AND WESTERN TRADITION. By CARNEGIE SAMUEL CALIAN. *Westminster/John Knox Press. 130 pp. $14.99 paper.*

Calian, President and Professor of Theology at Pittsburgh Theological Seminary (a Presbyterian school), has written a book intended to acquaint Western Christians with the ecumenical contribution of Eastern Christians. It includes chapters on the authority of the ecumenical councils and on prayers of interiority in the East (including the Jesus prayer), but there is also a prescient discussion of Christianity and nationalism in the Balkans, an essay on Nikos Kazantzakis, and some good concluding words on theological convergences of East and West.

— *R.L.W.*

CONSERVATIVE JUDAISM: THE NEW CENTURY. By NEIL GILLMAN. *Behrman. 227 pp. $18 paper.*

A concise history and analysis of Conservative Judaism, the movement that has self-consciously sought a middle ground between Orthodoxy and Reform. In the decades immediately following World War II, Conservatism provided, for many American Jews, the ideal balance between tradition and modernity. In more recent years, however, Conservatism has faltered. It has failed to create a religiously observant laity, while losing members to rival movements or to religious indifference and assimilation. The author, a professor at the Jewish Theological Seminary (JTS) in Manhattan, offers an extremely informative and not uncritical assessment of his own movement, identifying its roots in nineteenth-century Germany and following it to full flower in America. Special emphasis is given to the rise of JTS as one of the great centers of Jewish learning. Over and over, Professor Gillman returns to the central contradiction bedeviling Conservative Judaism: its attempt to promote a near-Orthodox level of observance based on what is essentially a Reform ideology (i.e., that Scripture and Jewish law—halakhah—are historically conditioned documents susceptible to reinterpretation and change). "If the Torah can be studied scientifically like any other human document," he asks, how then can "the movement insist on the binding character of its laws?" Despite Conservatism's recent statement of principles, *Emet Ve-Emunah* (Truth and Faith), the tension remains unresolved. This book can be strongly recommended not only as a casebook of the Conservative movement but also as a primer on the broader subject of Judaism's struggles with modernity.

AGAINST NATURE? TYPES OF MORAL ARGUMENTATION REGARDING HOMOSEXUALITY. By PIM PRONK. *Eerdmans. 350 pp. $24.99 paper.*

An interesting book not so much for the position it advances (approval of homosexual relations) as for the claim that any position on homosexuality (or anything else) must be reached on the basis of moral reflection independent of nature, science, or theology. There is no moral test other than "what is good and what is bad by the world of experience." "A thing is God's will because it is good: that is the unavoidable conclusion." Unlike many gay advocates, Pronk acknowledges that the Bible condemns homosexual behavior, but that is irrelevant. "The function of an appeal to Scripture is to reinforce the position one finds convincing before making that appeal." That is also true with respect to an appeal to nature or to theological reason. Pronk recognizes that this holds for his position, too. He is identified as a homosexual in the Reformed Church of the Netherlands which formally approves, inter alia, gay partners as ministers. Since his experience tells him that homosexuality is good (and therefore is God's will for him and others similarly situated), he concludes that homosexuality should be permanently removed from the churches' agenda as a moral or religious question. Episcopalian bishop John Shelby Spong says the book "is a unique contribution to the contemporary dialogue on homosexuality." Pronk teaches dogmatics and philosophy at an affiliate of the Free University in Amsterdam. *Against Nature?* is a convincing and remarkably candid argument that the case for homosexual relations must be made against Scripture and the Christian tradition.

A JEWISH QUEST FOR RELIGIOUS MEANING: COLLECTED ESSAYS. By NORMAN FRIMER. *Ktav. 305 pp. $27.50.*

A variety of subjects—e.g., faith, theology, ethics, ritual—are discussed from the standpoint of Orthodox Judaism. Rabbi Frimer, who died late last year, was for many years national director of the Hillel Foundation (the college campus organization for Jewish students). These essays make no concession to "the modern mind," but being intelligent and literate they present liberal Jews with a bracing challenge—and Christians with a window on how classical Jewish thought is applied to contemporary problems.

REVELATION AND TRUTH: UNITY AND PLURALITY IN CONTEMPORARY THEOLOGY. By THOMAS G. GUARINO. *University of Scranton Press. 228 pp. $38.50.*

An exceedingly thoughtful examination of the problems involved in Christian theology's engagement with postmodernism. Guarino, who teaches at Seton Hall University, holds that recognizably ortho-

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dox Christian thought can accommodate postmodernity's difficulties with identity and difference, unity and pluralism. He argues for a "commensurable pluralism" that is to be understood in a manner consistent with the *depositum fidei* traveling through time. The book is for specialists, to be sure, but nonspecialists concerned about postmodernity's impact on "faith in search of understanding" would do well not to ignore it.

MEXICAN AMERICANS: THE AMBIVALENT MINORITY. By PETER SKERRY. *Free Press. 461 pp. $27.95.*

What the rapidly growing number of Mexican Americans are ambivalent about is how they should make it into the American mainstream. Is the route through the "race politics" travelled by aggrieved victims of oppression, or through the more travelled and more successful route of immigrant groups who aspired to "making it in America"? Skerry has done exhaustive research among Mexican Americans, especially in San Antonio and Los Angeles, and applies a sharp analytical mind to his findings. How the Mexican American ambivalence is resolved will have a strong bearing in the years ahead on questions ranging from immigration policy to welfare reform and realignments in the culture wars.

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THE UNITED STATES AND DEMOCRACY IN CHILE. By PAUL E. SIGMUND. *Johns Hopkins University Press. 254 pp. $13.95 paper.*

For both the secular and religious left, U.S. policy in Chile during the 1970s and 1980s was prime evidence of the wicked influence of America in world affairs. Now a distinguished professor of politics at Princeton has set the record straight. That Chile in 1994 has achieved a remarkable measure of prosperity, peace, and democracy is, Sigmund persuasively argues, largely attributable to the wisdom of a U.S. policy that steadfastly pressed for democracy and a market economy. This is important reading for all who take foreign policy with moral seriousness.

THE IMPERILED ACADEMY. Edited by HOWARD DICKMAN. *Transaction. 279 pp. $32.95.*

The feeling grows that we've heard enough about political correctness, multicultural follies, and illiberal liberal education. The nine essayists here, however, offer analyses that are frequently as refreshing as they are sharp. Contributors include Daniel Bonevac, Stanley Rothman, Seymour Martin Lipset, and Fred Sommers. Read, and be disturbed all over again.

BEAUTIFUL LOSERS: ESSAYS ON THE FAILURE OF AMERICAN CONSERVATISM. By SAMUEL FRANCIS. *University of Missouri Press. 237 pp. $37.50.*

The author has considerable writing talents; more the pity that they are spent in such a dismal cause. The cause is paleoconservatism. The term refers to a small band of "old conservatives" who despise every other kind, and work themselves into something that sounds very much like hatred when it comes to those who are called neoconservatives. The "failure" in the subtitle refers to the claim that, except for Mr. Francis and his righteous remnant, American conservatives have sold their souls to Mammon, the bureaucratic state, secularism, and other bad things. The paleos, we are asked to believe, are going to "radicalize" the Real America of the Midwest and lead a rebellion to take back the country from the cabal that has been running it since the infamous tyranny of Abraham Lincoln.

THE ROMAN CATHOLICS. By PATRICK W. CAREY. *Greenwood Press. 400 pp. $55.*

A serviceable short history of Catholicism in America, enhanced by more than two hundred pages of biographical sketches of the main players. A volume in the Greenwood series "Denominations in America."

HOME EDUCATION: RIGHTS AND REASONS. By JOHN W. WHITEHEAD and ALEXIS IRENE CROW. *Crossway. 556 pp. $16.99 paper.*

As everyone should know by now, home schooling is a very big thing in America. This very big book is an excellent guide to pertinent laws and regulations, prepared by people associated with the Rutherford Institute, which does important work in defending religious freedom.

THE DECOMPOSITION OF SOCIOLOGY. By IRVING LOUIS HOROWITZ. *Transaction. 282 pp. $35.*

Thirty years ago sociology was the number one choice of undergraduates. Today the discipline, so to speak, is on the ropes. Horowitz explains how "radicalized," reductionist, and irrascible academics destroyed their field, and what might be done about it. Notes from the intensive care unit of the contemporary academy.

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THE PUBLIC SQUARE

A Continuing Survey of Religion and Public Life

Richard John Neuhaus

Two Nations, Separate and Unequal

"The Myth of Racial Progress" is an unfortunate title for a *Christianity Today* symposium among prominent black Evangelicals. By many important indices there has been enormous racial progress in the last quarter century. It would be tedious to point out all the ways in which blacks have advanced in recent years. At least economically, the majority of blacks are doing as well or better than whites of comparable age and educational achievement. The problem is not that there has not been progress; it is that the progress has not included everybody and that, ironically, progress for some has worsened the condition of others. The last is a point made by William Julius Wilson, the liberal black sociologist at the University of Chicago. The "radical isolation" of the black underclass in the inner cities, says Wilson, is in large part caused by the outlawing of racial discrimination that enabled middle-class blacks to move away from the inner cities, leaving the poorest blacks on their own.

William Pannell of Fuller Theological Seminary is part of the *Christianity Today* symposium. He has recently published *The Coming Race Wars?* (Zondervan). Although the question mark is a hedging of bets, Pannell's message is grim. In the symposium he says, "We're going to have to take some rather courageous and extraordinary steps to avoid a race war. The first step is sincere repentance of racism by white evangelicals. Until something like that happens, I don't envision black evangelicals taking their white counterparts seriously." One does not quite know what to make of that. Using such combustible language with great care, there is no denying that there is a lot that qualifies as racism among white Americans, evangelical and other. And a call to repentance is almost always in order, but white Americans of good will are increasingly confused about what they are supposed to repent of, and what help such repentance might be to blacks.

The Rev. Hycel Taylor of Second Baptist Church in Evanston, Illinois, takes a somewhat different tack. "For us, as an African-American people, we have to ask some serious questions. What's going wrong with us? Not so much in relationship to white people, but in relation to ourselves. What's so stigmatic in our minds that we have now turned on ourselves and begun to kill each other, where now we become our own lynch mobs? We're looking at genocide so insidious that if we quantified the dying of African Americans just for twenty-four hours across this nation, we'd need to call for a state of national emergency. We're dying of AIDS; we're dying of hypertension; we're dying as stillborn babies; we're dying from drugs."

These are the issues recently being pressed by the Rev. Jesse Jackson, in a welcome return to some of the themes he championed before being taken captive to national politics. Jackson has been going around the country exhorting young blacks to take charge of their lives, pointing out that today in America there are more blacks killed by blacks every year than were lynched by whites in more than two hundred years of slavery. Similarly, the Rev. Earl Rivers of the Dorchester, Mass., Azusa Christian Community has been attracting attention, both white and black, to the nature of the crisis. In the left-leaning *Boston Review* he has sparked a lively exchange around his argument that, within the fairly near future, more than half of young black men will be killed before they reach age twenty-five. Today, in addition to those who are dead, more than a quarter of black males under twenty-five are in the criminal justice system—imprisoned, awaiting trial or sentencing, or on parole.

There is no doubt that these doleful realities are related, more than to any other factor, to the dissolution of the black family. More than two-thirds of black children are born with no adult male accepting responsibility for them, and the figure reaches toward 90 percent in the inner cities. This pattern of male flight from the family, combined with misguided welfare policies that encourage girls

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to have babies and set up housekeeping on their own, have created an ominous set of problems that are tying public policy experts in knots. Lest white Americans be complacent, it is noted that nearly one-third of white children are now born without fathers who claim them. That is almost exactly the figure for black America thirty years ago, and in both cases the numbers are climbing. (Presumably, in the black inner city the increase will stop somewhere short of 100 percent.) All this constitutes crisis to be sure, crisis without parallel in American experience. But it is hard to know what it has to do with white repentance of racism.

Race wars seem highly improbable. For many years now, black militants have been doing their revolutionary shuffle, intimidating whites with the threat of racial violence. Whatever the merits of their cause, it simply isn't working anymore. This is part of the decline of a certain kind of liberalism; fewer whites have a cultivated appetite for feeling guilty about race. In addition, there is a confidence that the threatening population can be yet more radically isolated, by coercion if necessary. One fears that that is at least part of the popularity of "getting tough on crime" in our current politics. It is true, as the Kerner Commission said so many years ago, that we are "two nations, separate and unequal." It is more true today than it was then. Except the divide between the two nations is not racial. On the one side are whites, the majority of blacks, the great majority of Hispanics, and almost all Asians and other recent immigrants. On the other side of the divide is the urban underclass. For reasons that are at the heart of the formation and deformation of the American experiment, the distinction between black and white has a singular place in our moral consciousness. But it is increasingly less relevant to the political, cultural, and economic realities of American life.

President Clinton learned this when he played the race card in last year's mayoralty campaign in New York. At least one hopes he learned it. He suggested that people would not vote for David Dinkins because he is black. This did not sit well with most New Yorkers. For large numbers of white New Yorkers, the fact that Dinkins is black was the only good reason for voting for him. Weighing against it was his legendary incompetence and astonishing indifference to the sensibilities of those who are not black (or gay), notably Catholics and Jews. In New York, a very liberal city, just enough people had had enough of feeling guilty and being intimidated by threats of racial violence, and as a result Mr. Dinkins is now the former mayor.

The *Christianity Today* symposium resurrects the old line about eleven o'clock Sunday morning being the most segregated hour of the week. It was a good line, but surely it should be put back to sleep. Since the days of the civil rights movement, denominations that are almost totally white have devoutly adopted affirmative action programs for increasing black membership. Some oldline denominations embraced the idea that they wouldn't get over their racism until their black membership equalled the proportion of blacks in the general population, which is somewhat more than 10 percent. Of course to do this would require intensive evangelization among blacks, or outright sheep stealing from black churches. Needless to say, they did not consult the clergy of the black churches as to the advisability of this enterprise. Also needless to say, such recruitment programs did not get very far, and are not likely to go anywhere in the future. Nor should they. Whatever potential for moral and social renewal there is in the inner cities, it is very largely to be found in the black churches.

When it comes to concrete proposals, the symposiasts urge new linkages between black and white churches in urban and suburban areas. Perhaps some kind of "sister church" arrangement in which congregations simply visit each other from time to time. As an example, *Christianity Today* highlights a wealthy suburban congregation near Atlanta whose members went into the inner city to help blacks rebuild some dilapidated housing. Some will think such steps are awfully tame, and awfully old, and maybe just a little condescending on the part of whites. Perhaps they are all of that. Such steps do not have the frisson of revolutionary violence and radical change. But they bring the radically isolated (on both sides) into contact, and create the potential for building trust and friendship. Given the awful history of black-white relations in America, every such relationship of trust and friendship is to be valued as a good in itself.

Whites should be challenged to do what they can, but should not feel guilty about not doing what they cannot. No matter how repentant, compassionate, and eager they are, they cannot redress the moral and cultural deficit of the urban underclass. That must be done by black leaders who have the wisdom and courage to act on the new reality of race in America. This is not a case of letting whites off the hook. To suggest that is white arrogance and an insult to blacks. It assumes that the problem of the underclass must be resolved by whites. Why should blacks alone, of all the identifiable groups in America, be thought incompetent to take charge of their lives? Slavery and enforced segregation were singular injustices visited upon blacks. Both are now a long time ago. Even under segregation, most blacks managed to take moral charge of their lives. Since segregation, that continues to be the case, but approximately a third at the bottom have become wards of the welfare state living in circumstances of soul-destroying dependency and lethal anarchy.

To the extent that whites are complicit in well-intended but misguided social policies, this is a white problem. To the extent that whites can help

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transcend the divide between themselves and the radically isolated, this is a white obligation. But the reality of the urban underclass is overwhelmingly a black problem and a black obligation. And a black moral opportunity. The sooner this is recognized by both blacks and whites, the sooner we will move on from distracting talk about "the myth of racial progress" to building the story of American progress that includes everybody.

FT

An Ethic of Thinking

Religious folk of all persuasions are perennially embroiled in questions about the connection between reason and revelation, knowing and faith. During last year's visit to Lithuania, Pope John Paul II addressed members of the academic and cultural communities at the University of Vilnius. Here is some of what he said: "When man thinks, he experiences his own finiteness, becoming aware that he is not the truth and must even grope his way toward it. At the same time he notices that his search cannot and will not stop at petty, limited goals, since he is powerfully driven ever higher, toward the infinite.

"The exhilarating adventure of human thought lies in this essential dynamic that situates man between his awareness of limits and the need for the absolute. For this reason, when man 'thinks' deeply, with intellectual rigor and integrity of heart, he is on the way toward a possible encounter with God.

"But why then—we can reasonably be asked—have the most systematic and radical denials of God been made precisely by men of thought?

"The Church has an answer for this disturbing question: If it is true that God's existence can be known even by reason alone, nevertheless in the human race's present condition, clouded by sin, reason is marked by great weakness. The progress of human thought does not resemble a solitary, cerebral process, but is profoundly linked to the individual's existential journey.

"Therefore, if one wants human thought to harvest its ripest fruits, especially in the search for metaphysical truths, it is necessary to cultivate an ethic of thought, one which is not limited to striving for logical correctness, but which situates the mind's activity in a spiritual atmosphere rich in humility, sincerity, courage, honesty, trust, concern for others, openness to the mystery. This all-encompassing ethic of 'thinking' does not excuse one from searching but rather facilitates and supports it, and even gives it direction in matters concerning the mystery, because of the intrinsic connection between the *verum* and the *bonum*, which in God coincide with his very essence."

Lutheran theologian and martyr Dietrich Bonhoeffer wrote critically about a "God of the gaps" who fills in the spaces left by reason. John Paul would seem to agree with Bonhoeffer. Noting that it is reasonable to believe that "we are at an epoch-making turning point in the world's history," he says: "In this difficult transition to a future which no one today can foresee or describe its features the commitment of intellectuals cannot fail to play a decisive role, one to be promoted with new vigor at a time when the collapse of ideologies threatens to cause a paralyzing lack of confidence and human thought seems prone to sink into skepticism and a dangerous pragmatism.

"No one should in any way think that this crisis of thought can allure the believer, as if faith should inherit the areas vacated by the surrender of reason. Authentic faith, rather, presupposes reason and utilizes, consolidates, and stimulates it, as the church's magisterium has stressed many times."

FT

Mumbling Will Be Tolerated

Michael McConnell of the University of Chicago Law School, and a frequent contributor to this journal, writing on the interpretation (and misinterpretation) of the Religion Clause of the First Amendment:

"In *The Gay Science*, Friedrich Nietzsche, the fountainhead of postmodernism, tells of a madman who on a bright morning lights a lantern and runs to the marketplace proclaiming 'God is dead! God remains dead! And we have killed him! . . . There never was a greater event—and on account of it, all who are born after us belong to a higher history than any history hitherto!' The effect was powerful. For those capable of understanding, 'some sun seem[ed] to have set, some old profound confidence seem[ed] to have changed into doubt.' In *Thus Spake Zarathustra*, Nietzsche's mythic hero carries the same message—'God is dead!'—throughout the earth, in a parody of the gospels, calling it his 'gift' to mankind. But there is one exception. The book begins with an encounter between Zarathustra and a holy man living alone in the forest. Zarathustra asks the hermit what he does in the forest, and the hermit replies: 'I make hymns and sing them; and in making hymns I laugh and

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weep and mumble: thus do I praise God. With singing, weeping, laughing, and mumbling do I praise the God who is my God.' The hermit then asks Zarathustra what he had brought as a 'gift.' Zarathustra, surprisingly, does not take up this invitation to tell the hermit the terrible truth of the death of God. Instead he says, evasively, 'What should I have to give to thee! Let me rather hurry hence lest I take aught away from thee!' And Zarathustra leaves the old man to worship in peace.

"This is the story of religious freedom in the postmodern world.

"The first thing we notice about the story is the extraordinary gentleness with which Zarathustra treated the holy man. This is startlingly out of character for a philosopher who celebrates strength and derides mercy, who tells unflinchingly the hard truths and has no respect for those so weak that they must take refuge in comfortable lies and superstitions. Nowhere else in *Zarathustra* does the hero spare the sensibilities of his hearers. Nietzsche thus suggests that there is something different about the holy man. While for most men, word of the death of God is a 'gift,' for the saint it would 'take away' something precious. And in like manner, the postmodern world is willing to leave the believer in peace. Religious belief, we realize, is precious to those who have it, and it would be pointless and mean to interfere with it.

"But what we notice next about the story is that the hermit was quaint and wrong. He was behind the times. He simply had not gotten the word. When Zarathustra was alone, Nietzsche tells us that he marvelled to himself, 'Could it be possible! This old saint in the forest hath not yet heard of it, that *God is dead!*' Zarathustra's forbearance was not based on any respect for the possible truth of the saint's beliefs. Zarathustra did not entertain that possibility. He *could* not. God is dead. You cannot argue with facts. His forbearance was an act of kindness, an indulgence—not the product of a mind open to the possibility that the other possesses a truth.

"The third point we notice about the story is that it involves a hermit, living by himself in the forest. He did not preach or proclaim the word of God. He did not go into the village. He sang, laughed, wept, and—most revealingly—'mumbled,' but these inarticulate sounds did not *communicate.* Zarathustra's toleration was toward one who neither participated in public life nor entered public discourse. No such forbearance was shown to anyone in the village. If the hermit left the forest and attempted to enter the public discussion and debate, he would be given the news of God's death like everyone else.

"Can we recognize in Zarathustra the enlightened attitude toward religious faith in our age? Religious freedom is to be protected, strongly protected—so long as it is irrelevant to the life of the wider community. But allow religion to affect the law pertaining to, say, abortion; or allow religion to affect the way we educate our children in our communities' schools; even allow religion to affect the way we celebrate holidays in public, and there is trouble. When these quaint and discredited beliefs spill over into the life of the community, we have crossed the line. Religion, the Supreme Court has told us on more than one occasion, is 'a private matter for the individual, the family, and the institutions of private choice.' Religion in public is at best a breach of etiquette, at worst a violation of the law. Religion is privatized and marginalized. It has nothing to offer to the public sphere. We will not interfere with solitary hermits in the forest, but they must stay out of the public square."

FT

The Logic of Damnation

"Go to hell." That's a very rude thing to say, but relatively few people today would think themselves solemnly cursed were they on the receiving end of it. There is very little thinking about hell, solemn or otherwise, these days. Jerry L. Walls, who teaches philosophy at Asbury Theological Seminary in Kentucky, is trying to do something about that. Written from a moderately Calvinist viewpoint, *Hell: The Logic of Damnation* (University of Notre Dame Press) is a forcefully argued reopening of questions that most liberal theologians had long thought to be decisively closed. From Walls' conclusion: "At the outset of this essay, I confronted the controversial nature of the traditional doctrine of hell, particularly the claim that it is morally repugnant. This creates, I noted, a dilemma for the Christian believer. On the one hand, the person who believes in Christ and accepts the authority of his teaching seems inextricably committed to believing the doctrine of eternal hell. If he does not believe this, he undercuts the ground which makes it possible to be a Christian. But on the other hand, if one accepts the doctrine, he seems to be committed to a morally offensive notion.

"I believe Christians must squarely face this dilemma. If the doctrine is indeed morally bankrupt or unintelligible, it should frankly and forthrightly be discarded. But if it is not, it should be reclaimed and faithfully taught. Either way, it involves claims of such immense importance that it cannot responsibly be ignored."

Walls ackowledges that Scripture is properly interpreted in interaction with what is known from other sources, such as reason and experience.

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Numerous Christian theologians have held to some version of "universalism," the hopeful doctrine that, in the end, all will be saved. Given the many explicit scriptural statements that are at odds with that, Walls concludes that the "universalist interpretation of Scripture depends heavily on the philosophical case against the traditional doctrine of hell. I have tried to show that that case is yet to be made."

Walls contends that some of the more "sensational" depictions of hell—the kind of thing in which Jonathan Edwards excelled—weaken the credibility of the doctrine. In Walls' view, hell is the continuing and intensified consequence of choices freely made in this life. "It will be clear by now that the picture of hell I have presented is in essential continuity with traditional theology in holding that hell is a place of misery. It is not, admittedly, as gruesome an account of hell as that held by some notable classical theologians. If it were, I could not plausibly hold that some persons may freely choose it. So there are also points of contrast with some traditional ideas. I do not, however, think there is any less reason for a person who desires his ultimate well-being to want to avoid hell if it is anything like I have suggested. Indeed, such a person may have more reason to take hell seriously if the misery it holds is of the kind I have described.

"This is the case, I think, because the conception of hell I have defended has a moral seriousness about it that is sometimes obscured or distorted in more frightful accounts. The idea that the misery of hell is the intrinsic consequence of choosing to become a certain kind of person has a stark realism about it that is often absent when hell is depicted as the supreme torture chamber. It is a dreadful but credible thought that we might come fully to prefer the deformed sense of satisfaction endemic to sin, and that God will finally give us what we want."

Walls recognizes an additional problem posed by Kantians and those influenced by Kant. The doctrine of hell, they say, has a negative effect on genuine moral motivation. That is, if one is moral only to avoid hell, one is not really moral at all. Walls responds: "This sort of objection has the most force when the misery of hell is conceived as externally imposed punishment, with no necessary relation to the nature of the sin involved. It loses some of its force, however, when the anguish of hell is seen as an internal component of a life of sin and evil. To choose evil is to choose misery, and the one who so chooses does so freely. On the other hand, the one who resists evil will, as a matter of course, also be choosing to avoid hell. This is why Wesley could urge us to 'abhor sin far more than death or hell; abhor sin itself far more than the punishment of it. Beware of the bondage of pride, of desire, of anger; of every evil temper or work. The one who is duly wary of sin and its bondage needs no further fear of hell to give him reason to be moral.'

"This will not, however, entirely dispose of the objection, for the Kantian can now rephrase it as follows: If you avoid sin because a natural consequence of it is anguish for you, then you are still selfishly motivated. In that case you do not do your duty for its own sake, so you lack the proper moral motivation. Even if you do the right act, you do not do it for the right reason.

"At this point, I am willing to concede to the Kantian that the traditional doctrine of hell does appeal to our self-interest as a reason to love God and be moral. But I want to insist that not all self-interest is selfish, and that proper self-interest is a legitimate part of genuine moral motivation. So the traditional doctrine of hell adds positive moral import to the Christian conviction that it is impossible to further one's ultimate best interest by doing what is wrong, just as it is impossible to act against one's ultimate best interest by loving God and doing right."

In a morally frivolous and therefore very evil age, there is good reason to welcome serious thought about hell. One therefore hopes that the argument of *Hell: The Logic of Damnation* will get an attentive hearing. At the same time, Walls is perhaps too quick to lump alternative views together in the catchall category of universalism. There is venerable Christian precedent for the teaching of universalism, from Origen in the third century to Hans Urs von Balthasar in this one. Then there is the official Catholic teaching, represented by, for instance, the 1991 encyclical *Redemptoris Missio* (see this writer's commentary in October 1991). That teaching has also been described, mistakenly, as universalism. It would seem to be extremely difficult, if not impossible, for an orthodox Christian to flatly deny the reality of hell. What hell is like (aside from being very bad indeed) and who, if anyone, is "there"—these and other questions are subject to thoughtful disagreements. There ought to be firm agreement, however, on the understanding that who we are and how we live have eternal consequences, for better or for worse. By helping us to think more carefully about the "worse" in that proposition, Jerry Walls has provided a bracing antidote to the moral frivolity and evil of our time.

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Oy Vey, Arthur, You Have to Say It in Public?

The *Philadelphia Inquirer* calls him the "renowned rabbi, author, and historian Arthur Hertzberg." He is surely well known in certain circles, and the

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American Jewish Congress may be wishing that he did not attract the attention that he does. At the seventy-fifth anniversary celebration of the Congress, Hertzberg opined that the threat to Jews today is not anti-Semitism but conflicts with other groups. "They are conflicts especially with parts of the black community which wants what we've got," Hertzberg said, "which wants to be higher up in the pipeline of the ethnic succession and would like to grab what Jews have." Of the school attended by his two daughters in Englewood, N.J., Hertzberg said that "it had become so interracial that they could not go to the restroom without watching their pocketbooks." The *Inquirer* archly reports that "some in the audience found his language insensitive."

Rankling those who make their living in the anti-defamation business, Rabbi Hertzberg went on to observe that Jews are no longer discriminated against economically and professionally. "We are now in a different set of circumstances," he said. "We are not the prime victims in the world, not in America, not in Yugoslavia. Jews are today the American elite. We are not fighting with the WASPs to be the American elite. We have half displaced them." (One is reminded of actor Walter Matthau who, when asked why he falsely claimed to be Jewish, answered, "It's simple. Upward mobility.")

AJC board member Barry Ungar tried to smooth any sensitive feathers ruffled by Hertzberg, especially black feathers. (WASP feathers don't ruffle.) Hertzberg's saying that blacks want what Jews have, explained Ungar, "was a very shorthand way in which he was trying to describe the frustration and disappointment in the black community that the Jewish community's success at the end of the civil rights movement has been much greater than that of the black community. His shorthand was really much too shorthand." The report does not indicate whether Rabbi Hertzberg was grateful for Mr. Ungar's clarification of what he was trying to say.

FT

AN UNNECESSARY IDOLATRY

"To be sure, the defense of idolatry can never be enthusiastic," admits Steven D. Smith, Professor of Law at the University of Colorado. But he contends in the *Virginia Law Review* that idolatry may be necessary when we can no longer make the case that the authority of the law is supported by some kind of commanding truth. His article, "Idolatry in Constitutional Interpretation," argues this way: "From the perspective of the political state, idolatry may be preferable to nonbelief. Rousseau made the essential argument: Because 'no State has ever been established without having religion for its basis,' the state should establish a civil religion, or a 'purely civil profession of faith,' in order to cultivate 'sentiments of sociability without which it is impossible to be either a good citizen or a faithful subject.' This position need not be understood as tyrannical or self-serving on the part of those who control the state; indeed the governors might promote idolatry solely in the interest of the governed. If the alternative to idolatry is the loss of community, or even civil chaos, then the interests of the citizens may require cultivation of an idolatrous civil religion.

"It might seem that religious believers should reject this political rationale for idolatry, or at most tolerate it grudgingly as a necessary evil. But even from a religious perspective, idolatry may be preferable to outright unbelief. The person who pays devotion to an idol is at least exercising his spiritual faculties; he is cultivating attitudes of reverence, humility, and faith. To be sure, from the religious perspective, these faculties are misdirected—focused on an improper object. Still, the exertion of spiritual faculties, even though misdirected, may be a step toward a more pure or proper worship; when the true object of devotion is presented the idolater may be prepared to accept it. In the unbeliever, by contrast, spiritual faculties might atrophy through lack of use, so that the unbeliever will be unable to accept a true object of worship when it is presented to him.

"In a legal world that aspires to be secular, no appeal to 'transcendent authority' and no 'Kierkegaardian leap of faith' are permissible. Consequently, the legal idolater must at the same time tacitly affirm and explicitly deny (even to himself) the qualities that he imaginatively ascribes to law in order to make it worthy of being 'interpreted' and obeyed." Smith concludes with this: "For those who believe that a higher source is real and accessible or, conversely, for those who think we can live with the knowledge that 'we are all we have,' idolatry in the law may be unnecessary and unseemly. But for a political community that needs to believe in something beyond itself but cannot acknowledge any actual higher source, the imaginative endowment of law with transcendent wisdom or moral meaning may be the only way to maintain an illusion too precious to be relinquished."

For all the intellectual and moral contortions involved in deceiving oneself about what one believes, Smith's is not an uninteresting argument. A response would have to take up several points. Not for nothing is the First Commandment, "You shall have no other gods before me." It is not a question of whether an idolatrous religion is better than no religion, since

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nobody is without religion. Everybody has something, if nothing more than his own pleasure or self-esteem, that he worships. Whatever "that" is, it is, functionally speaking, his god. Other religions (Islam, Buddhism, etc.) may in fact have the advantage of opening persons to the transcendent, but are not possible commitments for those who believe them not true. Unlike other religions, Smith's proposed idolatry not only is not true but it is not interesting enough to warrant the kind of commitment that he, rightly, thinks is necessary to endow law with the transcendent authority of Law. Not unimportantly, his proposal is also in radical discontinuity with a constitutional order that is premised upon "We hold these truths"—the very order that Smith wants to morally legitimate.

Among other problems with Smith's intelligently wrongheaded argument is his assumption that law has to do chiefly with the judiciary's reading of constitutional texts. In a representative democracy, one might counter, law is chiefly a legislative process based upon regard for one's citizen-neighbor. In this representative democracy, fortunately, the overwhelming majority of citizen-neighbors do believe, in continuity with the Founders, that "a higher source [of authority] is real and accessible." The law, meaning the state, has little to say about that source or how to obtain access to it, leaving those questions to "the people" from whom the legitimacy of law is derived.

Were it ever to happen that a critical mass of the people no longer believed in such higher authority, it seems almost certain that this democratic experiment would be finished. The crisis that Smith's article helpfully illuminates is that, in large sectors of our legal culture, the absence of such higher authority is assumed—or at least the statement of its presence is not "permissible." This naked public square exists in the minds of judges, lawyers, and legal philosophers. Because they are persons of considerable influence, it has been imposed in large part upon the real world of how Americans try to order their lives together. Happily, it has not yet carried the day entirely. If that were to happen, we doubt that the American people would bow the knee to the idolatry proposed by Professor Smith in order to save this constitutional order. More likely they would discard this order and replace it with another, and not necessarily better, system of governance.

Were one to respond to Professor Smith more fully—and our comments are by no means an adequate response to his elegantly complicated argument—these are some of the considerations that would need to be explored more carefully.

FT

An Embarrassed Silence

"Men astutely trained" is the phrase that was commonly used to describe the formation of Jesuits. Trained in some things better than others, it seems. John Conley, a young Jesuit who teaches philosophy at Fordham, writes in *National Jesuit News* that during his training he discovered that provincials and professors were utterly lucid about the environment, inclusive language, racism, and a long list of other social concerns. The great injustice that went unaddressed was abortion. Not, of course, that Jesuits were pro-choice; it just seems that abortion is not a very big deal with them. In a mildly stated and therefore all the more telling indictment, "The Silence of the Society," Conley cites case after case in which Jesuits and Jesuit publications fudge or evade the "embarrassment" of the abortion question.

For instance, the national Society is strongly on record with enthusiastic support for Clinton's proposed government management of health care. The national statement includes this: "One additional concern has to do with the possible inclusion of abortion in the benefits package of any health care reform. It is sincerely hoped that this single issue will not destroy the historic opportunity to enact national health care reform for the sake of so many Americans. At the same time, its inclusion raises a serious moral dilemma for the Roman Catholic community." That, writes Conley, "is an extraordinary dismissal of the heart of the abortion question." Conley's point is that abortion is hardly a narrow, sectarian concern just for Catholics. It poses the most elementary question of human rights in our time.

And apparently it is not only the American Jesuits. Conley cites a document from Roman headquarters, preparatory to the thirty-fourth General Congregation of the Society in 1995. It lifts up for the Society's consideration a litany of social concerns: drug addiction, AIDS, exploitation of children and women, illiteracy, racism, capitalism, organized crime, ecological threats, fundamentalism, and so forth. "The plight of the nascent child killed by abortion and the woman maimed by abortion," Conley notes, "is simply passed over." It is not even mentioned once. "The drama of abortion," Conley concludes, "appears to lie outside the Society's spiritual compass."

Some of our best friends are Jesuits. Really. But the Society seems to be continuing to drift away from its constituting genius. Certainly its embarrassed silence on abortion is in sharpest contrast with the Second Vatican Council (which termed abortion "an unspeakable crime"), the public witness of the bishops, and the urgencies that animate the ministry of John Paul II. (One recalls, at the risk of raising another embarrassment, that the Jesuits started out as the very particular servants of the papacy.) And

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the silence on abortion is but one symptom among many. At levels high and low within the Society, the question is raised whether the Ignatian "charism" has become, some four centuries later, so distorted as to be eminently dispensable. Some of those who know the Society well and love it deeply wonder whether the 1995 General Congregation might be the last chance to reform a movement that has lost its way. The questions raised by Father Conley, it seems to us, aid reflection on the possibility that the Society of Jesus, as distinct from many of its members, has become a net liability as the Catholic Church travels into the Third Millennium.

FT

THE BOTTOM OF THE SLOPE

The *Cambridge Quarterly of Healthcare Ethics* has a special section on the euthanizing of newborn children in the Netherlands. In that country, thousands of people are terminated by doctors each year with legal impunity. The aged in particular never know whether the doctor comes to cure or to kill. The editors of the quarterly comment, "Quite possibly as a natural outgrowth of the euthanasia movement, concerns about incompetent patients qualifying for the 'kindness' of euthanasia have led to reports of active involuntary euthanasia, not only of adults but of handicapped newborns." Keep in mind that the proponents of euthanasia usually insist that their concern is for the autonomy of the patient. The editors are more insightful in recognizing the "natural outgrowth" of the logic of euthanasia itself.

Richard Doerflinger, editor of *Life at Risk*, writes: "The first article in the section, by Dr. Cor Spreeuwenberg (editor of the journal of the Royal Dutch Medical Association), describes how his own brain-damaged son Laurens was dispatched by his pediatrician with an overdose of morphine back in 1973. The act was a secret between doctor and parents, because it was illegal and because the non-Catholic pediatrician performed the deed in a Catholic hospital. This was the year that Dutch courts had just begun to open up loopholes in the law against *voluntary* euthanasia. Spreeuwenberg says some 'liberals' think only voluntary euthanasia is acceptable, but argues: 'I concur that autonomy ought to be the point of departure in euthanasia decisions, but it should not be the only principle considered. Because newborns cannot exercise autonomy does not mean that they should be denied beneficence. There are many less important decisions we make in their behalf, why should they be denied perhaps the most caring choice of all?'

"Crystal clear in the Pediatric Association's report is the physicians' certainty that they are qualified to make the decision as to when death is a 'caring' choice. 'Without hesitancy,' note ethicists E. van Leeuwen and G. K. Kimsma, 'the members of the committee claim that the decision in matters of life and death is part of *the responsibility of the acting physician*'—though 'this responsibility must be *shared* with the parents involved' (emphasis added). According to ethicist Heleen M. Dupuis, the committee's certainty on this point is so great, at a time when nonvoluntary euthanasia still violates *all* legal guidelines, that the report suggests that 'physicians should not report cases of infant euthanasia because of the uncertainty of what would happen if they do.' Dupuis says she did not think it 'wise' to voice support for infant euthanasia ten years ago, when she was president of the Dutch Society for Voluntary Euthanasia, because 'the discussion of euthanasia for adults was so new'; now 'requested euthanasia can no longer be jeopardized because it is so accepted in the Netherlands,' so killing a patient without his or her request can be openly discussed. She adds: 'I doubt now, more than ever, the validity of slippery slope arguments. I do not believe we are on a slope,' because 'we are actively making careful decisions to act in the way we do.' A few years ago, such nonvoluntary euthanasia was universally acknowledged as the abyss at the bottom of the slope."

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WHILE WE'RE AT IT

■ Thomas Day has gone and committed another book. He's the author of *Why Catholics Can't Sing*, which got a lot of people terribly unhappy and others (more others, we hope) relieved that somebody had so wittily cut through the liturgiological fog hanging over the subject of how Christians worship—Methodist Christians, Lutheran Christians, and, not least of all, Catholic Christians. The new book is *Where Have You Gone, Michelangelo? The Loss of Soul in Catholic Culture* (Crossroad). Here's a sample: "What does it all mean? One telephone call I received was from a man who was both upset and amused. It seems that he happened to attend Sunday services in a Lutheran church and saw something that almost totally monopolized his attention. The minister, choir members, and a big group of young children, all in the front of the church, had strings around their necks and hanging from each piece of string was a plastic fork. Prayers were prayed, hymns were sung, and plastic forks dangled. The congregation was without a clue. Finally, the

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minister talked to the children and explained the symbolism of the forks. 'Remember those times when you were eating dinner and your mother told you to save your forks?' Continued cluelessness from the congregation. The minister, sensing that further clarification was needed, continued: 'You know, save your forks for dessert . . . for heaven.' What does it all mean? First of all it means that Roman Catholics are not the only ones capable of liturgical nuttiness. Secondly it means prepare for the worst. We must surely be living in a dangerous era when any religion begins to treat human beings as if they were little kitsch toys—without yearnings, without imperfections, without imagination, without the gift of a soul, without art. We would expect dictators, radical political theorists, and others who have a low opinion of people to indulge in amusing games with symbols, as a sign of their contempt for the idiots called human beings, but in religion this sort of thing is bad news. It means the end of that idea of a special, creating human 'soul,' and the beginning of an age when people in churches will be manipulated as if they were stupid machines—easily turned on or off (with a gimmick) by smart machines. It means head for the hills."

■ So you think it's easy to be politically correct. Incorrect. A professor friend writes that he gave a lecture at a university and, the way you are supposed to these days, he inserted an occasional "she" into the text. Talking about a believer and an atheist, he made the atheist "she." The first "question" following the lecture strongly challenged his using the feminine for the atheist. The next time he gave the lecture, at another university, the believer was "she" and the atheist "he." Sure enough, the first "question" protested his stereotyping men as hardboiled and rational while females are soft and emotional. "What's a PC professor to do?" he asks. Another professor friend says he takes a different tack. At the start of his course he declares that his feminist convictions prevent him from going along with the idea that centuries of English literature using "he" were not influenced by women. Therefore, he defiantly asserts, he will use "he" to include both men and women, thus appropriating the tradition for the feminist cause. He reports that the students generally approve of his "radical" linguistic tactic. The doleful conclusion is that many of today's college students are as dim-witted as their (plural of her/his) PC teachers.

■ Reading *The Nation* is a useful reality check when you're tempted to think that reality is getting the upper hand. This issue of unreconstructed leftisms frets about the increasing activity of America's "religious right" in the former Soviet Union. "A new and unholy alliance between activists of the East and West is ominous. In the past year, Planned Parenthood and a host of other groups have worked to mitigate incursions by family values proselytizers and to defend a woman's right to a safe and legal abortion. Many Russians, however, stripped of their ideological roots, buffeted by economic turmoil and social unrest, have become increasingly vulnerable to the sermons of these Western missionaries. Exporting family values may soon replace the hyping of economic shock therapy as the United States' most destructive contribution to post-Cold War interventionism." Comment one: It's heartening to know that Planned Parenthood is protecting the right of Russian women to have, as they now do have, an average of eight to twelve abortions during their childbearing years. Comment two: Note that "family values" is no longer in quotes. *The Nation* is not opposed to so-called family values but, quite simply, to family values. Alright, so you already knew that. But maybe some other readers didn't.

■ Yes, we quote Gertrude Himmelfarb a lot. But then she is so eminently quotable. This is from an essay in the *American Scholar* on John Stuart Mill's doctrine that all of society should be ordered by the "one very simple principle" of liberty. "Liberals have always known that absolute power tends to corrupt absolutely. A liberty that is divorced from tradition and convention, from morality and religion, that makes the individual the sole repository and arbiter of all values and puts him in an adversarial relationship to society and the state—such a liberty is a grave peril to liberalism itself. For when that liberty is found wanting, when it violates the moral sense of the community or is incompatable with the legitimate demands of society, there is no moderating principle that can curb those demands or accommodate that moral sense, no resting place between the wild gyrations of libertarianism and paternalism."

■ We received this some months ago and are not sure whether the publication in question survived or not. It's a nice color brochure that invites us to "Test Drive *New Theology Review* Absolutely Free!" The liberationist Presbyterian Robert McAfee Brown likes it. He says, "Although it has a clear Catholic orientation, members of other religious traditions will profit from its pages." The "although" is a nice touch, we thought. The brochure says that readers "will find the most current treatment of issues at the heart of their lives and vocations." The review "covers the broad plane of theology, seeking the most recent interpretations and insights." In sum, "*New Theology Review* is your key to the latest and best in Christian theology!" Being very doubtful that the latest is best, we are inclined to take our theology old, so did not subscribe. We did notice that the magazine is published by The Liturgical Press at St. John's Abbey in Collegeville, Minnesota, and that was occasion for remembering how, oh so very many years ago, St. John's Abbey was a vibrant center of

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theological and pastoral renewal. You pay a price for not subscribing, of course. Now we're going to miss what the brochure announces as major themes coming up in the magazine: satanism, theology and ecology, and the challenge to Christian ethics posed by biomedical practices. Shouldn't that be the challenge to biomedical practices posed by Christian ethics? Ah well, there you have it; that old theology raising silly questions again.

■ In his novel *The Son of Laughter* (HarperSan Francisco), Frederick Buechner has Jacob narrate the family saga, from grandfather Abraham to his son Joseph. Virginia Stem Owens, who has been influenced by Erich Auerbach's classic work, *Mimesis*, thinks Buechner's effort does not quite work. "*The Son of Laughter* definitely succeeds in terms of entertainment and passionate narrative. Yet, like other novels borrowing from biblical stories, it simply fills in too much, closing the gaps which, Auerbach says, are intended 'to overcome our reality.' Any reality we add will always be exasperatingly partial. Instead of explaining the biblical world in our terms, we must 'fit our own life into its world' and allow ourselves 'to be elements in its structure of universal history.' The gaps are meant to swallow us."

■ They're called "Banzhaf's Bandits." They're the students of John Banzhaf at the George Washington National Law Center who are trained in law by bringing innumerable suits on any question that interests them. Banzhaf's proteges are generally credited with the legal success of the antismoking campaign of recent years, creating interdictions against "passive smoking" from second-hand smoke, whether or not such measures make scientific sense. In an interview with the *National Catholic Register*, Banzhaf says, "I tell the students they can be for abortion or against abortion, for gun control or against gun control, for drug testing or against drug testing. It doesn't matter so long as there is a significant number of people who will benefit from the activism." Which helps to explain the litigiousness of American society, and why "activism" is so often accompanied by the adjective "mindless."

■ Unitarian minister John Pridinoff heads up the Hemlock Society, premier promoter of euthanasia. In its quarterly, Pridonoff reflects on the religious claim that life is a gift from God. "My understanding of a gift," says Pridonoff, "is that it is given without any strings or attachments. If God has truly 'given me a gift of life,' then it is mine to do with as I wish." Pridinoff also says that his organization believes in the sanctity of life. "We believe that life is sacred as is death and the dying process. . . . Each of us should be able to determine what is appropriate for our self. The right to self-determination is a most sacred right—in living, in dying, and in death." Self-determination in death may pose problems, but we thought you would want to know that the champions of euthanasia are not incapable of religious reflection, of a sort.

■ Here's a promising idea, The Walker Percy Society. Those putting it together have in mind meetings, conferences, and, of course, a newsletter to nurture exchange among Percy scholars. For information, write: John Desmond, Department of English, Whitman College, Walla Walla, WA 99362. (One envies those living in Walla Walla, Washington if for nothing else than the pleasure it must give to tell people where you're from.)

■ Writing in the *Times Literary Supplement* (London), Mary Midgley takes on a passel of recent books on philosophy. "Moral theories, in fact, are not a very useful commodity," she observes. Theories such as utilitarianism are "Procrustean doctrines [that] have only looked plausible because they were used equivocally. On the one hand, they were seen as formal, neutral, simplifying devices for explaining all morality. But they were also used, on the other, as campaigning banners to gain victory for one moral policy over its opponents." Midgley continues: "This ambiguity has vitiated utilitarianism from the start. In Bentham and Mill, who were obviously practical reformers first and foremost, it was just a peripheral weakness. It showed logical negligence, but it did not much disturb their moral and practical argument for paying more attention to consequences, which were their chief strength. But when the torch was passed on to professional academics, concerned not with reform but only with building consistent theories, more serious trouble followed. Increasing stress was laid on the claim that the doctrine was exclusive, watertight, and logically necessary. The hope was always that formal simplicity and consistency could be used to arbitrate clashes of values. But the painful tangles of moral problems cannot possibly be loosed in this way. The great moral philosophers of the past were in business because they wanted to change the world. From Socrates to Nietzsche, they shaped their conceptual schemes so as to make particular changes possible. When their work is taken over by people who do not have that intention, people who reckon to be neutral between all possible changes, the consequences become very odd, and—as is now pretty widely agreed—a dead end is soon reached."

■ Jimmy Carter's national security advisor, Zbigniew Brzezinski, reflects on some of the themes of his latest book, *Out of Control*, in an interview with the *Catholic World Report*. Totalitarianism has collapsed, says Brzezinski, but that's cold comfort. "The rich West today increasingly projects to the rest of the world an image of a hedonistic, morally relativistic, value-neutral social order which I fear will not be adequately responsive to the socioeconomic and emotional dilemmas that the vast majority of the global population living in poor

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countries faces. If liberal democracy is not able to infuse its culture and philosophical character with a somewhat more morally driven set of imperatives, then I fear that what the West stands for today will be seen increasingly as an empty shell, as reflecting progressive demoralization, as foreshadowing a way of life that is ultimately aimless." And what is at the heart of that demoralization? "The breakdown of the West's morality is the product of many facts of which abortion may not only be the cause but also the effect." Brzezinski, a Catholic, talks about the crucial importance of the global leadership of John Paul II, and then turns to the subject of Islam. "I see a danger in the simplistic, stereotype reactions which tend to stamp all of Islam as an enemy. The world of Islam is enormously differentiated, it embraces more than one billion people, it is in some respects the most vital religious force in the world today. This group of one billion people spans black west Africans through conservative Moroccans, through the secular Algerians who are not hostile to us, to secular Egyptians who are friendly, to very fundamentalist Saudi Arabians who are friendly, to secular radical Iraqis who are unfriendly, to fundamentalist Iranians who are unfriendly, to secular central Asians—Pakistani, Bangladesh, and Indonesians—who are not unfriendly to us. In brief, to stamp the world of Islam with a single stroke of the paintbrush and to label them as fundamentalist could become a self-fulfilling prophecy."

■ Last month we remarked on the execrable sixteenth edition of *Bartlett's Familiar Quotations*, edited by Justin Kaplan. The *New York Times Book Review* pulled together items from that and four other books of quotations. "A quick glance through the average book of quotations," writes Laurel Graeber, "gives the impression that most of history's enduring statements came from either Shakespeare or God." And it is true that a quick glance can give all sorts of silly impressions. Ms. Graeber enthusiastically offers examples from these more up-to-the-minute collections. "Love is just a system for getting someone to call you darling after sex." (Julian Barnes) "Life is better than death, I believe, if only because it is less boring, and because it has fresh peaches in it." (Alice Walker) "Sacred cows make the tastiest hamburgers." (Abbie Hoffman) "I'm all for bringing back the birch, but only between consenting adults." (Gore Vidal) "I have a brain and a uterus, and I use both." (Patricia Schroeder) Such are the cultural treasures to be transmitted to the next generation. One may doubt that any of these soporifics will be remembered twenty years from now. Except by innocents who buy and read the current rash of quote books, the chief importance of which is to provide further evidence of the continuing long march through our institutions by the children of the sixties who are now hoary-headed adolescents.

■ A medical researcher at the University of California, San Francisco, who describes himself as an "ardent FT reader" sends along a couple of items from *Science* magazine that he thought might be of interest. This issue is given over to "AIDS: The Unanswered Questions." We go to the editorial for some answers. The best way to prevent AIDS, we are told, is "behavior modification . . . ranging from repeated educational messages about AIDS to spermicides with anti-viral capacity that can help empower women worldwide." The prospect of women around the world being empowered by spermicide takes some pondering. The editorial continues: "Currently, condoms can be an effective prophylactic vaccine. Therefore, in order to protect our teenagers, a major component of our AIDS strategy should be an intelligent program of sex education in the schools." You wouldn't want to deprive your kid of a vaccine would you? The lead article in this issue is by a Michael Merson of the World Health Organization. His concern is to help women avoid getting AIDS. "For women, the agenda is to change the circumstances in which sex takes place. Over the long term, this needs to be done through the improvement of their educational, legal, and economic status, and in the short term, through stratagems for circumventing their subordination. For example, prostitutes have been organized to raise their prices simultaneously so they can afford to turn away clients who refuse condom use; this is a particularly useful stratagem because it enhances women's agency and control rather than leaving them passive." The reader might infer that it is too bad more women are not prostitutes, but surely that is not what Mr. Merson has in mind. What he and the editors of *Science* do have in mind is not entirely clear. Except that AIDS is a very bad thing and it should be avoided through "behavior modification" that does not involve abstinence or fidelity.

■ Most folk object when they're called secular humanists. Not Paul Kurtz, retired philosophy professor, founder of Prometheus Books, and author of thirty books, including *Humanist Manifesto II*. He has a new book out, *Toward a New Enlightenment: The Philosophy of Paul Kurtz* (Transaction). Is billing oneself in a subtitle a precedent? We've been on platforms with Kurtz and find him a personable fellow who is utterly relentless. In the present book he notes an article we wrote a while back suggesting that atheists cannot—as good citizens should be able to do—transmit the constituting truths of the American order. Kurtz asks in tones most ominous, "Is this the opening salvo of a campaign to deny atheists their rights?" Relax, Mr. Kurtz. Your rights are secured by our understanding of the truth, even if ours are not by yours.

■ Ian Ker, the celebrated biographer of John Henry Cardinal Newman, minces no words about the

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significance of the Church of England's decision to ordain women. "If at long last that potent 'spell' which Newman thought prevented Anglo-Catholics from recognizing the true nature of the Church of England has been finally broken, then the consequences for the whole Anglican communion will be far-reaching. Theology apart, Newman the great realist would welcome the ending of these anomalies. For the departure of orthodox Anglo-Catholics would have three effects: first, there would no longer be the unreal situation of two churches claiming to be the Catholic Church in the same country, where there are now more practicing Roman Catholics than all practicing Anglicans put together; second, in a country which has lost its empire and is now slowly returning to Europe after four centuries of insularity, there would be an end of the pretense that the English must have a different 'branch' of the Catholic Church from all other European countries; and third, the winding-up of the Oxford Movement would allow the majority of Anglicans to have the church they have always really wanted—an all-embracing national Protestant church. As for Catholic ecumaniacs who supposed reunion was just around the corner, they might have heeded Newman's warning that 'To make that actual, visible, tangible body Catholic would be simply to make a new creature—it would be to turn a panther into a hind.' "

■ Many readers say that, upon the arrival of each issue, they immediately sit down and devote three to five hours to reading it, every word, cover to cover. It almost makes the editors feel guilty about making such a large demand on the reader's time. On the other hand, some readers complain that the journal is just too large. Here is a professor from Wisconsin: "It's so good, I want to read it verbatim. However, doing this takes so long, I have a many-months-long backlog of issues staring me in the face." The answer: moderation and discernment in all things. There is so much that needs saying, and so many good writers able to say it well, that the size of the journal seems to us just about right. But we do not assume that every item in each issue will be of equal interest to every reader. The best we can suggest is that you read it all, if you can make the time, or read those items of particular interest and then put it on the shelf to come back to other things, maybe, later. But please do not compound the editors' sense of guilt by blaming us for your feeling guilty about not reading everything in every issue. (As each large issue goes to press, Jim Nuechterlein, incorrigibly Lutheran, declares, "Sin boldly!")

■ There is Lord Peter Wimsey of course, but then there is *The Man Born to be King* and Dorothy Sayers' theological plays. A new biography (*Dorothy L. Sayers: Her Life and Soul* by Barbara Reynolds, forthcoming in this country) says that Sayers felt unsuited to be a Christian apologist. She explained that the only presupposition of Christianity she could swear to from personal inward conviction was sin and the acceptance of sole responsibility for her own wrongdoing. "Since I cannot come to God through intuition or through my emotions, or through my inner light (except in the unendearing form of judgment and conviction of sin), there is only the intellect left and that is a very different matter. . . . The passionate intellect is really passionate. It is the only point at which ecstasy can enter. I do not know whether we can be saved by the intellect, but I do know that I can be saved by nothing else." And this she wrote to a friend and colleague: "When we go to heaven, all I ask is that we should be given some interesting job and allowed to get on with it. No management; no box office; no dramatic critics; and an audience of cheerful angels who don't mind laughing." We like to think that Dorothy Sayers is getting on with it, and the angels are much amused.

Sources: Symposium on "The Myth of Racial Progress" in *Christianity Today*, October 4, 1993. Pope John Paul II, address given at University of Vilnius, quoted in *Origins*, September 16, 1993. Michael McConnell on the Religion Clause of the First Amendment in *Brigham Young University Law Review*, Volume 1993, Number 1. Arthur Hertzberg on Jews and blacks, *Philadelphia Inquirer*, November 22, 1993. Steven D. Smith defense of idolatry, *Virginia Law Review*, April 1993. John Conley on Jesuits and abortion in *National Jesuit News*, December 1993/January 1994. Richard Doerflinger on euthanasia in the Netherlands, *Life at Risk*, July-August 1993.

WHILE WE'RE AT IT: *The Nation* on family values and "religious right" in Russia, November 1, 1993. Gertrude Himmelfarb on John Stuart Mill in the *American Scholar*, Autumn 1993. Virginia Stem Owens on Frederick Buechner's *The Son of Laughter* in *Christianity Today*, September 13, 1993. On Banzhaf's Bandits, *National Catholic Register*, September 12, 1993. John Pridinoff on "the gift of life" in *Hemlock Quarterly*, April 1993. Mary Midgley on philosophy books, *Times Literary Supplement* (London), June 18, 1993. Zbigniew Brzezinski interview in *Catholic World Report*, August/September 1993. On books of quotations, *New York Times Book Review*, December 6, 1992. On AIDS and behavior modification, *Science*, May 1993. Ian Ker on Cardinal Newman, *Catholic World Report*, January 1993. Dorothy Sayers quoted in *The Spectator*, April 24, 1993.

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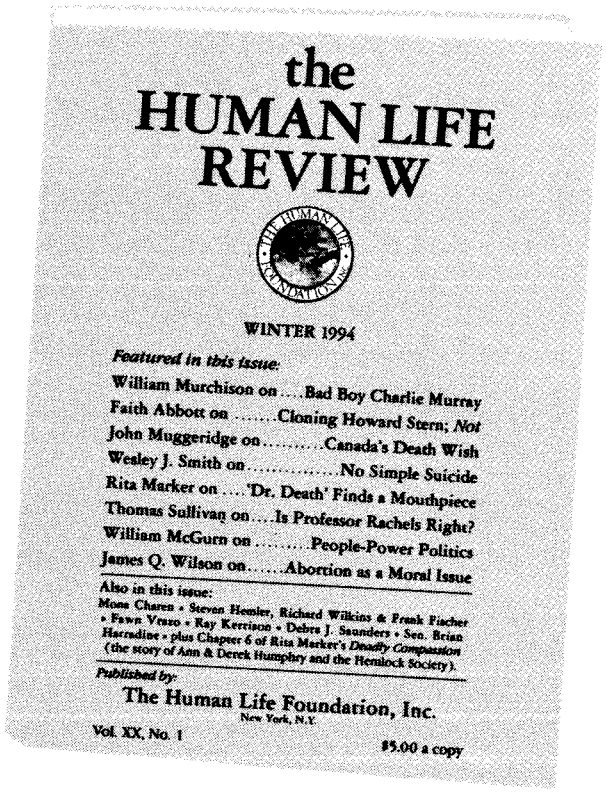
—Wm. F. Buckley, Jr.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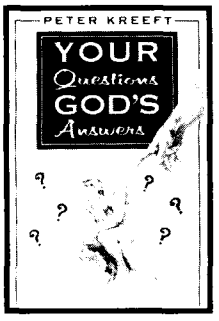

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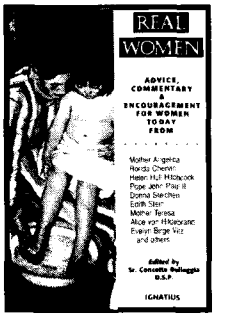

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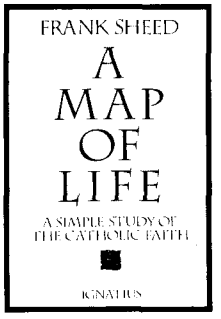

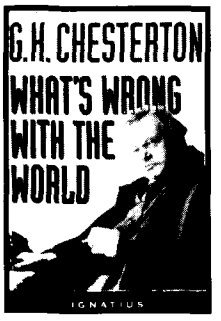

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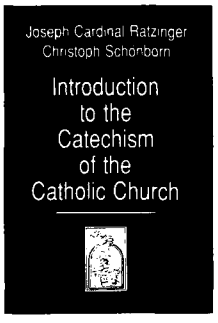

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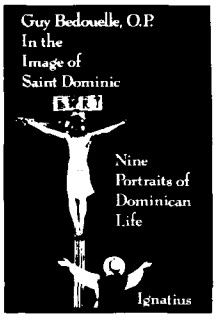

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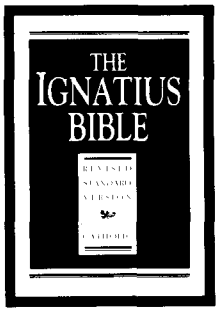

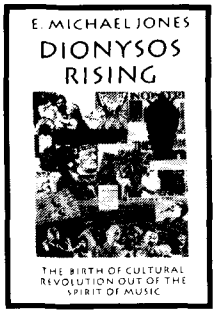

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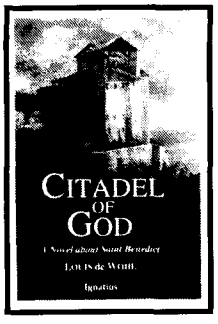

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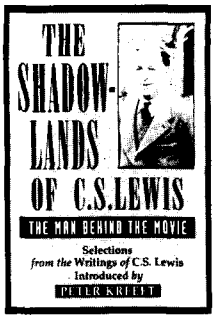
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